

**Christ Church CE School
Data Protection Policy
Autumn 2016**



Christ Church
CE Primary School
Regents Park
NW1 4BD

Christ Church C of E Primary School
Data Protection Policy

CONTENTS

Mission Statement

Our School Aims

Introduction and scope

Personal data

Information disclosure

Requesting personal data

Disclosing information

Education records

Monitoring and review

Appendices

Christ Church C of E Primary School
Data Protection Policy

Mission Statement

The Christian Faith is at the heart of our school community. At Christ Church we care for each other and learn together.

Christ Church is a small, caring school which is committed to a broad, balanced curriculum and to a continual raising of standards. We aim to contribute to the spiritual, moral, cultural, mental and physical needs of every individual.

We are a Church of England school, with a strong commitment to the teaching of Christianity whilst supporting a multi-faith approach to the curriculum. We recognise, value and celebrate the rich cultural diversity that exists in our school.

The Christian ethos of the school is reflected in our positive, disciplined and calm atmosphere. We believe that effective learning takes place when children work in a purposeful and stimulating environment that supports a wide range of learning styles. Mutual respect between adults and children promotes excellent behaviour and well developed social skills. With this approach we seek to achieve high academic standards.

We aim to cater for each individual, taking particular account of any specific needs or abilities. We endeavour to ensure that all our children fulfil their potential and, within this context, we emphasise health and safety, enjoyment and achievement and the beginnings of responsibility for themselves and others. These skills will be carried forward to the next phase of education and throughout life.

The whole school community is committed to a collective responsibility for the implementation of the values inherent in this statement.

Our School Aims - Every Child Matters

The Ethos of the School

The school aims to provide a positive, disciplined, purposeful environment, within a Christian context. We aim to teach children to be caring, to exhibit good behaviour and appropriate social skills and to begin to take responsibility for themselves and others.

The Values of the School

The School aims to value every child and to contribute to the Spiritual, Moral, Cultural, Mental and Physical well being of our whole school community. We value the diversity of our community and we aim to promote the health and safety of everyone.

The Standards of the School

The School aims to teach a balanced Curriculum and to ensure that each child fulfils his or her potential. We aim to provide teaching and learning of a high standard. We believe that this is achieved when pupils are highly motivated, enjoy coming to school, and are appropriately challenged.

Christ Church C of E Primary School

Data Protection Policy

Date of policy: Autumn 2016

Review date: Autumn 2018

1. Introduction and Scope

- 1.1 The Data Protection Act 1998 is the law that protects personal privacy and applies to any school which processes or has access to people's personal data. The Act helps ensure that the management of data held electronically and / or and in paper-based systems is processed correctly. Section 7 of the Act gives rights to the people about who the data relates.
- 1.2 **Christ Church Primary School** has a legal responsibility to comply with the Data Protection Act and the school, as a corporate body, is named as the 'Data Controller' under the Act. Data controllers are people / organisations who hold and process personal data and have a duty to establish workplace practices and policies that are in line with the Act.

2. Personal data

- 2.1 Personal data is any information which relates to a living individual who can be identified from that data either by itself or alongside any other information we hold (for example, name, address, date of birth, National Insurance number, bank account details etc). It also includes any expression of opinion about that individual and any indication of any intentions we have in respect of that individual and it also applies to personal data held visually in photographs or video clips (including CCTV) or as sound recordings.
- 2.2 Personal data can also be 'sensitive' as defined by the Act. This is information about your racial or ethnic origin, political opinions, religious beliefs, trade union membership, physical or mental health or condition, sexual life, criminal offences, proceedings and convictions. We can only collect and hold this information for specific purposes (for example equal opportunities monitoring).

2.3 We are obligated to notify the Information Commissioner, who regulates the Data Protection Act, that information about individuals is being collected, processed and held. We are also obligated to follow the eight principles set out in the Act. The principles state that all personal information, or data, about individuals should be:

- i. Processed fairly and lawfully**
Either consent is required or there is an overriding necessity to process data. However in any event, individuals should be made fully aware of why we are collecting their information, what we intend using it for, and who else we may be sharing it with.
- ii. Processed for limited purposes**
We will only process the information we've collected for the purposes we said we would when it was collected.
- iii. Adequate, relevant and not excessive**
We will only collect and process the information we need as opposed to any additional information that may be useful in the future for another purpose.
- iv. Accurate and up to date**
We will regularly review the information we hold to ensure that personal data is kept up to date.
- v. Kept no longer than is necessary**
Depending on the overriding need of any legislation, statutory or legal requirement, data will not be kept longer than is required for the purposes of processing.
- vi. Processed in line with the individual's rights**
The Data Protection Act creates rights for those individuals who have their data processed and responsibilities for our school which processes and records that data.
- vii. Secure**
We must ensure that appropriate measures have been taken to ensure your information is safe, secure and cannot be accessed by anyone that isn't authorised to do so.

viii. Not transferred to other countries that don't have suitable data protection controls.

We will not send personal information outside of the European Economic Area unless the individual whom it is about has consented or adequate protection is in place.

3. Information disclosure

- 3.1 Personal information cannot usually be released to anyone else without your consent or knowledge. There are, however, certain circumstances when a third party (such as a government agency or law enforcement agency) can request information about you and we may be obliged to disclose it to them (for example where the disclosure is required by law or by a court order).
- 3.2 If you ask for information about a person other than yourself, your request will likely be refused unless the person you are asking about has given their written consent allowing us to disclose their personal information to you.

4. Requesting Personal Data

- 4.1 To request access to personal data that the school may hold about you, a Subject Access Form can be completed and posted to us.
- 4.2 The person who the personal data is about is known as the *data subject* and the person who is making the request is known as the *applicant*. These can of course be the same person depending on the personal data sought. A common example of this relationship would be when a parent (*applicant*) is seeking personal information about their child (*data subject*).
- 4.3 Parents can generally request personal data about their child without their consent, however it should be noted that the Data Protection Act requires a data controller to assess the maturity and competency of a data subject which is not restricted to age. Therefore in some cases, consent of the child may still be required. There may also be occasions where someone is legally allowed to act on behalf of someone else (for example power of attorney).
- 4.4 A form to assist you making a request is available at the end of this policy.
- 4.5 To protect your personal data when processing a request, we will also require copies of two forms of identification. These should be:

- one piece of photographic identification, such as a valid passport, valid driving licence or a valid EU national identity card.
 - one piece of identification confirming your address and dated within the last three months such as a utility bill, council tax statement or bank statement.
- 4.6 If you do not want to post your application, you may book an appointment with **Jean Smith (administrative officer)**, who will accept your application and validate your identification. Whilst we may be able to confirm your identification in person, should you require any personal data be posted to you, we will always require proof of address to ensure that any data that we release is sent securely and to the correct address.
- 4.7 Remember that if you are applying on someone else's behalf, you must also enclose either their signed, written consent, or proof that you are legally entitled to act on their behalf.
- 4.8 There is also a £10 processing fee. Cheques and postal orders should be made payable to **Christ Church Primary School**. Please note that in some very exceptional circumstances (for example the type and volume of manual files requested) there may be an additional fee required and we will advise you if this is the case.
- 4.9 Following receipt of your written request, identification and fee, you will receive a response within 40 days. However, if we do not have enough information required to perform a search we will contact you and ask for more details (The 40 day period of response will begin from the day we receive sufficient information to enable a search).
- 4.10 The unlawful obtaining or disclosure of personal data without consent of the Data Controller is an offence under Section 55 of the Data Protection Act 1998.

5. Disclosing information

- 5.1 The information that you can expect to receive from us will usually be a copy in whatever format we hold it in.
- 5.2 Depending on what information has been requested we will explain any jargon or abbreviations, provide a summary sheet detailing what we have used the

information for, and what information we have withheld and why (if applicable).

5.3 As per the Data Protection Act 1998, there are some instances where we may not be able to release some of the information we hold about you to you such as:

- personal information about other people (including family members), unless we receive their consent
- examination marks ahead of national release or examiners comments
- information provided by another person, such as a health visitor or the police, unless we receive their permission to do so
- information contained in adoption and parental order records
- legal advice provided by a legal professional
- information that would prejudice the prevention / detection of crime

5.4 In some exceptional circumstances we may also withhold information about you if we think that it might cause you serious harm or severe distress.

5.5 Occasionally your records may contain elements that it would not be appropriate for you to see (for example personal information about other individuals). Rather than withhold the whole record or document, we will redact or remove those sections, if we can, to make them anonymous

5.6 If you find incorrect information held about you then please write and tell us what is wrong and how you think it should be corrected. An assessment will be made and the information may be updated. Sometimes it may not be possible to amend historic information if it were key to decision making at the time.

6. Education Records

6.1 A parent has rights to their child's educational record under the Education (Pupil Information) (England) Regulations 2005.

6.2 Information kept by a teacher solely for their own use does not form part of the official educational record.

6.3 An education record will primarily consist of information that comes from a teacher or other employee of a local authority or school, the pupil or their parents (such as details of achievement and attainment). However, it may

also include information from the child and their parents (such as information about the health of the child or correspondence from an educational psychologist).

- 6.4 To access your child's school records, you should submit your request in writing to **Paula Aitcheson-Walker** and we have a requirement to respond within 15 school days.
- 6.5 Whilst simply viewing an educational record is free of charge, if we receive a request from a parent who wants copy of their child's educational record then a fee may be charged at our discretion. This can range from £1.00 up to £50 for the reproduction of paper work depending on the volume or how many copies are produced.
- 6.6 Additionally it may not be possible for a parent to simply view the record if personal data subject to the Data Protection Act 1998 is contained within. If this is the case, this information will be disclosed with regards to the principles and requirements of the Data Protection Act 1998 and in line with those timescales as outlined in section 1 - 5 above.

Monitoring and Review

This policy is the responsibility of the Senior Leadership Team and Governing Body, who will seek guidance from the Local Authority where appropriate. It will be reviewed every two years.

Appendices

CHRIST CHURCH PRIMARY SCHOOL Subject Access Request Form

Application to make a subject access request under Section 7 of the Data Protection Act 1998.

The person who the personal data is about is known as the data subject and the person who is making the request is known as the applicant. These can of course be the same person depending on the personal data sought. If you are a parent seeking access to your child's official educational records please contact the school office. The information you provide on this form will be used only for the purposes of processing your request.

1. Details of applicant / representative

First name: _____ Surname: _____

Address _____

Post code _____

Telephone _____

Email _____

I am also the data subject.

Please tick. Yes. Go to section 3 No. Go to section 2

2. Details of data subject

First name: _____ Surname: _____

Address _____

Post code _____

Telephone _____

Email _____

3. Details of information being requested

Please provide a clear description of the information you are requesting including, dates, departments and/or any additional information which will enable us to locate it.

Continue on separate sheet if required

4. Fee

A £10 processing fee is required for requests for personal data. Do not send cash in the mail.

Cheques may be made payable to **CHRIST CHURCH PRIMARY SCHOOL**

5. Proof of identity / consent

Please send us copies of two documents that prove who you are.

One must be photographic (such as a valid passport or driving licence) and;

One must prove your current address (such as a recent electricity bill, or council tax bill).

Alternatively if you are in regular contact with the school, you may wish to arrange an appointment to confirm identification in person. However, proof of address will be required regardless unless collection of information will be in person also.

Please tick either:-

The information requested is about myself.

I am the parent / guardian requesting access to my child's personal data who is under 12 years of age.

(Please note that whilst we generally only require their written consent if the child is older than 12 years of age, the Data Protection Act requires us to assess competency which is not restricted to age. Therefore in exceptional circumstances, consent may still be required)

I am representing another individual

In addition to the required identification outlined above, please send us one form of identification and written permission from the person that the information is about, saying that we can give you their information. Please note that in some circumstances we may need to verify authenticity..

6. Declaration

I am the person named in section one of this form and the information I have supplied is accurate. I am asking for personal information held by the school about me / the named person under the provisions of Section 7 and am aware that the unlawful obtaining of personal data is an offence under Section 55 of the Data Protection Act 1998.

Signed _____ Date ____ / ____ / ____
Print _____

Office use

Receipt date		Reference:	
ID required / received		Received by	
FEE required / received		Proof of address required / received	