

# Data Protection Policy

## Notification to Information Commissioner's Office (ICO)

The school administrator/Headteacher will ensure that the school's registration as a data controller is notified to the ICO annually and all licence charges paid when requested.

## Personal Data

### Personal Data

Personal data is information which relates to an identifiable living individual that is processed as data. Processing means collecting, using, disclosing, retaining, or disposing of information. Data protection principles as detailed below, apply to electronic and paper information and extend to all education records. This will include but is not limited to names of staff and pupils, dates of birth, addresses, NI numbers, schools marks, medical information, SEN assessments and staff development reviews.

### Sensitive Personal Data

This is information that relates to race, ethnicity, political opinions, religious beliefs, union membership, health issues, sexuality and criminal offences.

There are differences between processing personal data and sensitive personal data in that there are greater legal restrictions on sensitive personal data.

Data Protection Principles require that data

- Is processed fairly and lawfully
- Is obtained only for lawful purposes
- Is accurate and kept up to date
- Is adequate, relevant and not excessive in relation to the purpose for which it is processed
- Is not kept longer than necessary
- Is processed in accordance with the rights of data subjects under the Data Protection Act
- Is protected by appropriate technical and organisational measures against unauthorised or unlawful processing and against accidental loss, destruction, or damage
- Is not transferred to a country or territory outside European Economic Areas unless that country or territory ensures an adequate level of protection of the personal information.

## Fair Processing

The school will have in place a "fair processing notice" or "privacy notice". See appendix A. This notice will be issued to all parents every Autumn Term when data sheets are issued detailing the information the school holds on individuals.

Privacy notices should refer to the way in which all information is used in particular the use CCTV or photos. No photos will be used on the school website or publications without obtaining parental consent. See appendix B Photo permission form.

Access to electronic data is controlled by password to the database which is held by 3 admin staff. Each member of staff has their own password which is changed regularly. Access to written records is through the same 3 admin staff which is held in a locked office.

These controls are monitored by the Office and Business Manager who will ensure that passwords are changed regularly and that the office is kept locked.

## Information Security

### Electronic Data

No personal data will be stored on private computer equipment.

The use of memory sticks to store or transfer personal data should be kept to a minimum and if this is unavoidable then a USB memory stick should be password protected and fully encrypted. If any data user is unsure they should check with either the Headteacher or Office and Business Manager before proceeding.

Staff laptops require strong passwords of at least 8 characters including one capital letter one numeric and one other character. Staff will also be prompted to change passwords regularly.

Encryption software is used on both Curriculum and Admin servers and on laptops. It is necessary for any member of staff to ensure that they keep the information and hardware taken off site safe, ensuring it is not left unattended or in a vehicle. Any laptop should not be accessed by non school staff.

### Paper-based data

All pupil files are kept in cabinets in the school office which is locked. Child protection and SEN information is kept in locked cabinets in the Head's office.

Medical information where it is necessary to be shared with staff in school registers.

## Subject Access Requests

The data protection act gives individuals the right to request the personal information held on them. It covers all information that is held in any form by the school.

Any request, made in writing which includes fax or email, must be answered within 40 calendar days. A charge of £10 will be levied for any such request. Before releasing any information the identity of

the subject must be confirmed by checking valid ID documentation such as a valid passport or driving license.

Parents can make requests on behalf of children deemed too young to look after their own affairs or if consent is given for the parents to make the request from the child.

A log (Appendix C) of requests will be kept recording the date, name and details of the request and the date that the information was divulged together with a copy of that information. A checklist will be used (Appendix D) which will be kept on the log.

A copy of this policy will be kept with the log together with a copy of the school's Freedom of Information Act Policy

## Disposal of Data

The school employs the confidential shredding service of Suffolk County Council and all personal and sensitive personal data held on paper records is disposed of in this way. The information which needs shredding is kept in the school office.

Whenever electronic equipment is disposed of, ensure all data is removed and hard drives taken out to be destroyed separately before being handed over to any contractor. Advice should be sought from Suffolk County Council before disposing of any electronic equipment.

## Sharing Personal Information

Information can be shared but the most important aspects to consider are

- Are we allowed to share it (refer to the "fair processing notice")
- Ensure that adequate security is in place to protect (for instance insecure email addresses)
- Provide an outline in the "fair processing notice" of who receives personal information from the school

Careful consideration needs to be given to the method of sharing personal information. If using email ensure that the recipient email is secure or consider using password protection sending the password separately. It is also wise to double check the address to which you are sending information to avoid information being shared with incorrect recipients.

Whole school emails messages should always be sent using BCC.

Where pupil files are sent using Royal Mail a certificate of posting should be obtained and ideally the package should be sent using signed for or recorded delivery which requires the post to be signed for on delivery.

## School Website and Social Media

No personal information is published on the website or the school's social media pages unless prior permission has been obtained. All parents are asked to complete photo permission forms which

allow the school to use pupil photos in various ways in school. Permissions are always checked before photos are used. See Social Media Policy.

# Appendix A

## Privacy notice - Layer One, Summary

### Overview

Stratford St Mary Primary School processes personal data about its pupils and is a “data controller” in respect of this for the purposes of the Data Protection Act 1998. It processes this data to:

- support its pupils’ teaching and learning;
- monitor and report on their progress;
- provide appropriate pastoral care, and
- assess how well the school as a whole is doing.

### What information we hold

This data includes contact details, national curriculum assessment results, attendance information, characteristics such as ethnic group, special educational needs and any relevant medical information.

### What this information is used for and by whom

This data may only be used or passed on for specific purposes allowed by law (further details are contained in Layer Two of this notice which can be obtained from the school). From time to time the school is required to pass on some of this data to:

- Local authorities
- Department for Education (DfE)

and to agencies that are prescribed by law:

- Qualifications, Curriculum and Development Authority (QCDA)
- Ofsted
- Learning and Skills Council (LSC)
- Department of Health (DH)
- Primary Care Trusts (PCT)

These organisations are “data controllers” in respect of the data they receive, and are subject to legal constraints in how they deal with the data.

### Looked after children

Suffolk County Council is required to collect personal information on all children who receive a service or are ‘Looked After’ by the Local Authority. This personal information, which includes the child’s age, ethnicity, legal status, type of service or placement as well the child’s Unique Pupil Number (UPN), is

sent to the Department of Education (DfE) each year, as part of the local Authority's statutory returns which includes the Children in Need census and the Looked After Children SSDA 903 return. The collection of the UPN enables the DfE to extract educational information from the National Pupil database, held by the DfE, and to add it to the returns submitted by the Local Authority. Although the National Pupil database also contains the child's name, DfE do not use the child's name in processing or analysing the data. Neither does the DfE use the identifiable information to take any action in relation to individual children nor are individual children identified in any reports.

## Access

Pupils, 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 a child has sufficient maturity to understand their rights and to make an access request 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 that of your child, then please contact the relevant organisation in writing:

- the school at Stratford St Mary Primary School, Strickmere, Stratford St Mary, CO7 6YG
- the County Council's Data Protection Officer at Endeavour House, Russell Road, Ipswich, IP1 2BX (via the Freedom of Information Helpline on 01473 264618);
- the QCDA's Data Protection Officer at QCDA, 83 Piccadilly, London, W1J 8QA ([www.qcda.gov.uk](http://www.qcda.gov.uk));
- Ofsted's Data Protection Officer at Alexandra House, 33 Kingsway, London WC2B 6SE ([www.ofsted.gov.uk](http://www.ofsted.gov.uk));
- the DH's Data Protection Officer at Skipton House, 80 London Road, London SE1 6LH ([www.dh.gov.uk](http://www.dh.gov.uk));
- the DfE's Data Protection Officer at Caxton House, Tothill Street, London SW1H 9NA ([www.DfE.gov.uk](http://www.DfE.gov.uk))

**Your attention is drawn to (Layer 2) of this Privacy Notice, which gives supplementary information about the processing of pupil data by the organisations mentioned above. This can be obtained by contacting the school as above.**

# Privacy notice - Layer Two, Full Text

## Overview

This notice gives additional information to the layer one notice and provides further information about the processing of pupils' personal data by the other organisations mentioned in that notice.

Stratford St Mary Primary School processes personal data about its pupils and is a "data controller" in respect of this for the purposes of the Data Protection Act 1998. It processes this data to:

- support its pupils' teaching and learning;
- monitor and report on their progress;
- provide appropriate pastoral care, and
- assess how well the school as a whole is doing

## What information we hold

This information includes contact details, national curriculum assessment results, attendance information, characteristics such as ethnic group, special educational needs and any relevant medical information.

## What this information is used for and by whom

From time to time the school is required to pass on some of this data to local authorities, the Department for Education (DfE), (which also has responsibility to agencies that are prescribed by law, such as the Qualifications and Curriculum Development Authority (QCDA), Ofsted, the Department of Health (DH) and Primary Care Trusts (PCT). All these are data controllers for the information they receive. The data must only be used for specific purposes allowed by law.

The **Local Authority (LA)** 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.

The LA is required to collect personal information on all children who receive a service or are 'Looked After' by the Local Authority. This personal information, which includes the child's age, ethnicity, legal status, type of service or placement as well the child's Unique Pupil Number (UPN), is sent to the Department for Education (DfE) each year, as part of the local Authority's statutory returns which includes the Children in Need census and the Looked After Children SSDA 903 return. The collection of the UPN enables the DfE to extract educational information from the National Pupil database, held

by the DfE, and to add it to the returns submitted by the Local Authority. Although the National Pupil database also contains the child's name, DfE do not use the child's name in processing or analysing the data. Neither does the DfE use the identifiable information to take any action in relation to individual children nor are individual children identified in any reports.

The **Qualifications and Curriculum Development Authority (QCDA)** uses information about pupils 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 DfE to compile statistics on trends and patterns in levels of achievement. The QCDA uses the information to evaluate the effectiveness of the national curriculum and the associated assessment arrangements, and to ensure that these are continually improved.

**Ofsted** uses information about the progress and performance of pupils 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 pupils.

The **Department of Health (DH)** uses aggregate information (at school year group level) about pupils' 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 pupils 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 Department of Health will also provide aggregate PCT level data to the Healthcare Commission for performance assessment of the health service.

The **Department for Education (DfE)** uses information about pupils 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 DfE will feed back to LAs and schools information about their pupils 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.

**NB:** 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.

The DfE will also provide Ofsted with pupil data for use in school inspection. Where relevant, pupil 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.

Pupil information may be matched with other data sources that the Department holds in order to model and monitor pupils' educational progression; and to provide comprehensive information back to LAs 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.

Pupil data may also be shared with other Government Departments and Agencies (including the Office for National Statistics) for statistical or research purposes only. In all these cases the matching will require that individualised data is used in the processing operation, but that 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.

The DfE may also disclose individual pupil information to independent researchers into the educational achievements of pupils who have a legitimate need for it for their research, but each case will be determined on its merits and subject to the approval of the Department's Chief Statistician.

## Access

Pupils, 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:

- the school at Stratford St Mary Primary School, Strickmere, Stratford St Mary, CO7 6YG;
- the County Council's Data Protection Officer at Endeavour House, Russell Road, Ipswich, IP1 2BX (telephone the Freedom of Information Helpline on 01473 264618 or e-mail [FOIHelpdesk@libher.suffolkcc.gov.uk](mailto:FOIHelpdesk@libher.suffolkcc.gov.uk));
- the QCDA's Data Protection Officer at QCDA, 83 Piccadilly, London, W1J 8QA ([www.QCDA.org.uk](http://www.QCDA.org.uk));
- Ofsted's Data Protection Officer at Alexandra House, 33 Kingsway, London WC2B 6SE ([www.ofsted.gov.uk](http://www.ofsted.gov.uk));
- the Department of Health's Data Protection Officer at Skipton House, 80 London Road, London SE1 6LH ([www.dh.gov.uk](http://www.dh.gov.uk));
- the DfE's Data Protection Officer at Sanctuary Buildings, Great Smith Street, London SW1Y 3BT;

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.

Separately from the Data Protection Act, regulations provide a pupil's parent (regardless of the age of the pupil) with the right to view, or to have a copy of, their child's educational record at the school. If you wish to exercise this right you should write to the school.

# Appendix B

## Photo permissions form for pupils

### Stratford St Primary School

Occasionally, we may take photographs of the children/young people at our school. We may use these images in our schools prospectus or in other printed publications that we produce, as well as on our website or on project display boards at our school. We may also make video or webcam recordings for school-to-school conferences, monitoring or other educational use.

Suffolk County Council may also use our photographs of pupils to illustrate work in Suffolk schools in council publications, publicity materials and the internet.

From time to time, our school may be visited by the media who will take photographs, film footage or carry out radio interviews. Pupils will often appear in these images, which may appear in local or national newspapers, or on televised news programmes. Photos for the media and other publicity purposes may also be taken at events where our school is taking part.

Please answer the questions below, then sign and date the form where shown. Please return the completed form to the school as soon as possible.

**Please circle your answer**

1) Are you happy for your child's photograph to be taken when participating in school activities? This may include by other parents at school plays and events	Yes / No
2) If your answer to question 1 is yes, please tick the box to say you are happy for your child's photo to be used in the following ways:	
<input type="checkbox"/> In publications and publicity materials produced by the school and by Suffolk County Council	
<input type="checkbox"/> On the school website and Suffolk County Council websites	
<input type="checkbox"/> Recorded on video or webcam	
3) Are you happy for your child to appear in the media? This may mean their photo and name is used in print	Yes / No

*Please note that websites can be viewed throughout the world and not just in the United Kingdom where UK law applies. Please also note that the conditions for use of these photographs are on the back of this form.*

I have read and understood the conditions of use on the back of this form.

<b>Parent/Carer signature:</b>		<b>Date:</b>	
<b>Name of child:</b>			
<b>Parent/Carer name (in block capitals):</b>			
<b>Address (in block capitals):</b>		<b>Telephone number:</b>	

## Conditions of use

1. This form is valid for the period of time your child attends this school, plus one year after they leave, to enable us to publicise the work of final year pupils. The consent will automatically expire after this time.
2. We will not re-use any photographs or recordings for more than one year after your child leaves this school.
3. If we use photographs of individual pupils or small groups of pupils, we will avoid using the full name (which means first name **and** surname) of that child in the accompanying text or photo caption. **Please note that the media are likely to use first names and surnames in their publications/broadcasts.**
4. We will not include personal email or postal addresses, or telephone or fax numbers on video, on our website, in our school prospectus or in other printed publications.
5. We may use group or class photographs or footage with very general labels, such as "a science lesson" or "making Christmas decorations".
6. We will only use images of pupils who are suitably dressed, to reduce the risk of such images being used inappropriately.

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Status: Approved  
Approved date: Mar 2018  
Approved by: FGB  
Next review date: Mar 2020

# Appendix C

## Subject Access Request Log

Name	Details of information requested	Date of request	Date of information divulged under this request	

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Status: Approved  
Approved date: Mar 2018  
Approved by: FGB  
Next review date: Mar 2020

# Appendix D

**There is guidance online at [ICO.org.uk](http://ico.org.uk) together with an online checklist.**

Use this link to access the document

<http://ico.org.uk/for-organisations/data-protection/subject-access-requests>