



# BISHOP VESEY'S GRAMMAR SCHOOL

## Data Protection Policy

### Teaching & Support Staff

Staff covered by this procedure:	Teaching and support staff
Prepared by:	Finance Director and School Business Manager
Review date/by whom	14 November 2016 by Finance and Estates Committee
School's annual review date/by whom:	Autumn 2017 by Finance and Estates Committee
Signed by Chair of Finance and Estates Committee:	

## **Introduction**

Bishop Vesey's Grammar School collects and uses certain types of personal information about staff, pupils, parents and other individuals who come into contact with the academy in order to provide education and associated functions. The School may be required by law to collect and use certain types of information to comply with statutory obligations.

This policy is to be considered in conjunction with the Schools Freedom of Information Policy. This policy is intended to ensure that personal information is dealt with properly and securely and in accordance with the Data Protection Act 1998 and other related legislation. 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.

The eight data protection principles as laid down in the 1998 Data Protection Act are followed at all times:

- (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

Bishop Vesey's Grammar School is committed to maintaining those principles at all times. This means that the School will:

- (1) Inform parents as to the purpose of collecting the information, as and when we ask for it
- (2) Check the quality and accuracy of the information we hold
- (3) Regularly review the records we hold to ensure that information is not held longer than is necessary
- (4) Ensure that when information is authorised for disposal it is done appropriately
- (5) Ensure appropriate security measures to safeguard personal information whether that is held in paper files or on our computer system
- (6) Share personal information with others only when it is necessary and legally appropriate to do so, ensuring that pupil names are replaced with unique pupil numbers in the records before the data is transferred
- (7) Set out clear procedures for responding to requests for access to personal information known as subject access in the Data Protection Act.

## **Personal Data**

'Personal data' is information that relates to an individual. A sub-set of personal data is known as 'sensitive personal data'. Sensitive personal data is information relating to race or

ethnic origin, political opinions, religious beliefs or other beliefs of a similar nature, trade union membership, physical or mental health, sexual life or the commission of any offence. Sensitive personal data is given special protection.

The School does not intend to seek or hold sensitive personal data about staff or students except where the School has been notified of the information, or it comes to the School's attention via legitimate means (e.g. a grievance) or needs to be sought and held in compliance with a legal obligation or as a matter of good practice. Staff or students are under no obligation to disclose to the academy their race or ethnic origin, political or religious beliefs, whether or not they are a trade union member or details of their sexual life (save to the extent that details of marital status and/or parenthood needed for other purposes, e.g. pension entitlements, may be indicative of some aspects of sexual life).

The Data Protection Act applies to all computerised data and manual files if they come within the definition of a relevant filing system. Broadly speaking, this means that they are readily searchable and it is easy to locate personal data within them. A typical example is a personnel file structured by subject.

### **Security of Personal Data**

Bishop Vesey's Grammar School will take reasonable steps to ensure that members of staff will only have access to personal data relating to pupils, their parents or guardians where it is necessary for them to do so. All staff will be made aware of this Policy and their duties under the Data Protection Act, the School will take all reasonable steps to ensure that all personal information is held securely and is not accessible to unauthorised persons.

### **Use of Personal Data by Bishop Vesey's Grammar School**

It is required under the Data Protection Act that the personal data held about pupils must only be used for specific purposes allowed by law. The School holds personal data on pupils. The personal data includes contact details, assessment/examination results, attendance information, characteristics such as ethnic group, special educational needs, any relevant medical information, and photographs.

The data is used in order to support the education of the pupils, to monitor and report on their progress, to provide appropriate pastoral care, and to assess how well the School as a whole is doing, together with any other uses normally associated with this provision in an independent school environment.

The School may make use of limited personal data (such as contact details) relating to pupils, their parents or guardians for internal activities such as fundraising, marketing or promotional purposes and to maintain relationships with Students of the school.

In particular, the School may subject to express permission of the 'appropriate individual':

- (a) transfer information to any association society or club set up for the purpose of maintaining contact with pupils or for fundraising, marketing or promotional purposes relating to the school
- (b) make use of photographs of pupils in academy publications and on the School website;
- (c) disclose photographs and names of pupils to the media (or allow the media to take photographs of pupils) for promotional and congratulatory purposes where a pupil may be identified by name when the photograph is published e.g. where a pupil has won an award or has otherwise excelled;
- (d) make personal data, including sensitive personal data, available to staff for planning curricular or extra curricular activities;

Photographs with names identifying pupils will not be published on the school website or in any media without the express permission of the appropriate individual.

Any wish to limit or object to any use of personal data should be notified to the Headteacher of the school in writing, which notice will be acknowledged by the School.

### **Data Disclosures**

Personal data will only be disclosed to organisations or individuals for whom consent has been given. However, there are circumstances under which it is necessary for the school's authorised officer(s) to disclose data without the express consent of the data subject.

These circumstances are limited to:

- Pupil data disclosed to authorised recipients in respect of education and administration necessary for the school to perform its legitimate duties and obligations.
- Pupil data disclosed to authorised recipients in respect of a pupil's health, safety and welfare.
- Data contained within a Pupil's educational record will be disclosed to the child's parents if requested in accordance with Educational (Pupil Information) (England) Regulations 2005.
- Staff data disclosed to the relevant authority in respect of payroll and school's staff administration.

Only authorised and properly instructed staff are permitted to make disclosures of personal data. When requests to disclose personal data are received by telephone it is the responsibility of the school to ensure the caller is entitled to receive the data and that they are who they say they are and to act accordingly by verifying their identity formally and where possible requesting that formal application is made in writing.

If a personal request is made for personal data to be disclosed, it is the responsibility of the school to ensure the recipient is entitled to receive the data and that they are who they say they are. If the person is not known, proof of identity should be requested.

Requests from parents or children for printed lists of the names of children in particular classes, which are frequently sought at Christmas, should be politely refused as permission would be needed from all the data subjects contained on the list. (Note: A suggestion that the child makes a list of names when all the pupils are present in class will resolve the problem).

Personal data will not be used in newsletters, websites or other media without the consent of the data subject.

Routine consent issues will be incorporated into the school's pupil data gathering sheets to avoid the need for frequent, similar requests for consent being made by the school.

Personal data will only be disclosed to Police Officers if they are able to supply a WA170 form which notifies of a specific, legitimate need to have access to specific personal data. This form is the agreed procedure between the School and the West Midlands Police.

A record should be kept of any personal data disclosed so that the recipient can be informed if the data is later found to be inaccurate.

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