

# Data Protection Policy



## Introduction

Bridgewater recognises and accepts its responsibility as set out in the Data Protection Act 1998. The School, as a Data Controller, will take all reasonable steps to meet this responsibility and to promote good practice in the handling and use of personal information.

This policy statement applies to all School governors and employees, and individuals about whom the School processes personal information, as well as other partners and companies with which the School undertakes its business.

## Rationale

The School needs to collect and use certain types of personal information about people with whom it deals in order to operate. These include current, past and prospective employees, pupils, suppliers, clients, and others with whom it communicates. In addition, it may be required by law to collect and use certain types of information to comply with the requirements of government departments. This personal information must be dealt with properly however it is collected, recorded and used - whether on paper, in a computer, or recorded on other material - and there are safeguards to ensure this in the Data Protection Act 1998.

We regard the lawful and correct treatment of personal information by the School as very important in order to secure the successful carrying out of operations and the delivery of our services, and to maintaining confidence with those whom we deal. The School will treat personal information lawfully, correctly and in compliance with the 1998 Act.

## Fair Obtaining and Processing

Bridgewater undertakes to obtain and process data fairly and lawfully by informing all data subjects of the reasons for data collection, the purposes for which the data are held, the likely recipients of the data and the data subjects' right of access. Information about the use of personal data is printed on the appropriate collection form. If details are given verbally, the person collecting will explain the issues before obtaining the information.

## Aims and Objectives

The School will, through appropriate management and application of criteria and controls:

- observe fully conditions regarding the fair collection and use of information;
- meet its legal obligations to specify the purposes for which information is used;

- collect and process appropriate information, and only to the extent that it is needed to fulfill operational needs or to comply with any legal requirements;
- ensure the quality of information used, including its accuracy and relevancy for the purpose(s) specified;
- apply strict checks to determine the length of time information is held;
- ensure that the rights of people about whom information is held can be fully exercised under the 1998 Act. (These include: the right to be informed that processing is being undertaken; the right of access to one's personal information; the right to prevent processing in certain circumstances; the right to correct, block or erase information which is regarded as erroneous);
- take appropriate technical and organisational security measures to safeguard personal information; and
- ensure that personal information is not transferred abroad without suitable safeguards.

In addition, the School takes steps to ensure that:

- there is someone with specific responsibility for data protection in the organisation. (Currently, the nominated person is the Business Manager);
- everyone managing and handling personal information understands that they are contractually responsible for following good data protection practice;
- everyone managing and handling personal information is appropriately trained to do so;
- everyone managing and handling personal information is provided with guidance and training;
- anybody wanting to make enquiries about handling personal information knows what to do;
- queries about handling personal information are dealt with in 15 days;
- methods of handling personal information are clearly described;
- an annual review and audit is made of the way personal information is managed;
- methods of handling personal information are annually assessed and evaluated;
- performance of handling personal information is annually assessed and evaluated; and
- it disseminates to employees, information on good practice in respect of handling, using and storing personal information.

### **Processing Subject Access Requests**

Requests for access must be made in writing.

Possible charges will be calculated on a case-by-case basis with a maximum chargeable fee of £10.

Pupils, parents or staff may ask for a Data Subject Access form, available from the School Office. Completed forms should be submitted to the Business Manager. Provided that there is sufficient information to process the request, an entry will be made in the Subject Access log book, showing the date of receipt, the data subject's name, the name and address of requester (if different), the type of data required (e.g. Student Record, Personnel Record), and the planned date of supplying the information (not more than 15 school days from the request date). Should more information be required to establish either the identity of the data subject (or agent) or the type of data requested, the date of entry in the log will be date on which sufficient information has been provided.

Note: In the case of any written request from a parent regarding their own child's record, access to the record will be provided within 15 school dates in accordance with the current Education (Pupil Information) Regulations.

### **Authorised Disclosures**

The School will, in general, only disclose data about individuals with their consent. However there are circumstances under which the School's authorised officer may need to disclose data without explicit consent for that occasion.

These circumstances are strictly limited to:

- ◆ Pupil data disclosed to authorised recipients related to education and administration necessary for the school to perform its statutory duties and obligations.
- ◆ Pupil data disclosed to authorised recipients in respect of their child's health, safety and welfare.
- ◆ Pupil data disclosed to parents in respect of their child's progress, achievements, attendance, attitude or general demeanour within or in the vicinity of the school.
- ◆ Staff data disclosed to relevant authorities e.g. in respect of payroll and administrative matters.
- ◆ Unavoidable disclosures, for example to an engineer during maintenance of the computer system. In such circumstances the engineer would be required to sign a form promising not to disclose the data outside the school.
- ◆ Only authorised and trained staff are allowed to make external disclosures of personal data. Data used within the school by administrative staff, teachers and welfare officers will only be made available where the person requesting the information is a professional legitimately working within the school who **need to know** the information in order to do their work. The school will not disclose anything on pupils' records which would be likely to cause serious harm to their physical or mental health or that of anyone else – including anything where suggests that they are, or have been, either the subject of or at risk of child abuse.

## **Data and Computer Security**

Bridgewater undertakes to ensure security of personal data by the following general methods:

### **Physical Security**

Appropriate building security measures are in place, such as alarms, window bars, deadlocks and computer hardware cable locks. Only authorised persons are allowed in the computer room. Disks, tapes and printouts are locked away securely when not in use. Visitors to the school are required to sign in and out, to wear identification badges whilst in the school and are, where appropriate, accompanied.

### **Logical Security**

Security software is installed on all computers containing personal data. Only authorised users are allowed access to the computer files and password changes are regularly undertaken. Computer files are backed up (i.e. security copies are taken) regularly.

### **Procedural Security**

In order to be given authorised access to the computer, staff will have to undergo checks and will sign a confidentiality agreement. All staff are trained in their Data Protection obligations and their knowledge updated as necessary. Computer printouts as well as source documents are shredded before disposal.

Overall security policy for data is determined by the Governing Body and is monitored and reviewed regularly, especially if a security loophole or breach becomes apparent. The School's security policy is kept in a safe place at all times.

Any queries or concerns about security of data in the school should in the first instance be referred to the Business Manager.

Individual members of staff can be personally liable in law under the terms of the Data Protection Acts. They may also be subject to claims for damages from persons who believe that they have been harmed as a result of inaccuracy, unauthorised use or disclosure of their data. A deliberate breach of this Data Protection Policy will be treated as disciplinary matter, and serious breaches could lead to dismissal.

### **Monitoring & Review**

A copy of this policy statement will be issued to all employees. It will be reviewed periodically, added to, or modified from time to time and may be supplemented in appropriate cases by further statements and procedures relating to the work of the particular groups of workers.

Date of review: \_\_\_\_/\_\_\_\_/\_\_\_\_

1. Authorised by: \_\_\_\_\_  
(Headteacher)

Date: \_\_\_\_\_

2. Authorised by: \_\_\_\_\_  
(Chairperson of the Board of Governors)

Date: \_\_\_\_\_

**ACCESS TO PERSONAL DATA REQUEST**

**DATA PROTECTION ACT 1998 Section 7.**

Enquirer's Surname.....  
Enquirer's Forenames.....  
Enquirer's Address .....  
.....  
.....

Enquirer's Postcode .....

Telephone Number .....

Are you the person who is the subject of the records you are enquiring about YES / NO  
(i.e. the "Data Subject")?

If NO,

Do you have parental responsibility for a child who is the "Data Subject" of the records you  
are enquiring about? YES / NO

If YES,

Name of child or children about whose personal data records you are enquiring:

.....  
.....  
.....  
.....

Description of Concern / Area of Concern

Description of Information or Topic(s) Requested (in your own words)

Additional information.

Please despatch Reply to: *(if different from enquirer's details as stated on this form)*

Name:

Address:

Postcode:

DATA SUBJECT DECLARATION

I request that the School search its records based on the information supplied above under Section 7 (1) of the Data Protection Act 1998 and provide a description of the personal data found from the information described in the details outlined above relating to me (or my child/children) being processed by the School.

I agree that the reply period will commence when I have supplied sufficient information to enable the School to perform the search.

I consent to the reply being disclosed and sent to me at my stated address (or to the Despatch Name and Address above who I have authorised to receive such information).

Signature of "Data Subject" (or Subject's Parent) .....

Name of "Data Subject" (or Subject's Parent) (PRINTED).....

Dated .....