



HEADLANDS SCHOOL
SINCE 1965

Data Protection Policy (GDPR)

Written By	AHT Assessment
Adopted by Governors	Summer 2020
Last Review Date	N/A
Summer 2023	Summer 2022

Contents

1. Aims
2. Legislation and Guidance
3. Definitions
4. The Data Controller
5. Data Protection Principles
6. Roles and Responsibilities
7. Privacy/Fair Processing Notice
8. Subject Access Requests
9. Parental Requests to see the Educational Record
10. Storage of records
11. Disposal of records
12. Training
13. Monitoring arrangements

1. Aims

Headlands School aims to ensure that all data collected about staff, students, parents and visitors is collected, stored and processed in accordance with the General Data Protection Regulation (GDPR). This policy applies to all data, regardless of whether it is in paper or electronic format.

2. Legislation and Guidance

This policy meets the requirements of the General Data Protection Regulation (GDPR), and is based on guidance published by the Information Commissioner's Office and model privacy notices published by the Department for Education. This policy also complies with other School/Academy Funding Agreements and Articles of Association.

3. Definitions

Consent: Any freely given, specific, informed and unambiguous indication of the data subject's wishes by which they, by a statement or clear affirmative action, signifies agreement to the processing of personal data relating to them.

Data Controller: The natural or legal entity which determines the purposes and means of processing personal data.

Data Protection Officer: A Data Protection Officer (DPO) is required by DPA 2018 and is responsible for overseeing data protection strategy and implementation to ensure compliance with GDPR requirements. The Data Protection Officer for Headlands School is Tracey Roberts - Assistant Headteacher.

Data User: Someone who controls the collection, holding, processing or the use of data.

Data Subject: means an individual who is the subject of personal data or the person to whom the information relates.

Personal data: means data which relates to a living individual who can be identified directly or indirectly

Sensitive Personal data: Data such as:

- Contact details
- Racial or ethnic origin
- Political opinions
- Religious beliefs, or beliefs of a similar nature
- Where a person is a member of a trade union
- Physical and mental health
- Sexual orientation
- Whether a person has committed, or is alleged to have committed, an offence
- Criminal convictions

Processing: means obtaining, recording or holding the information or data or carrying out any or set of operations on the information or data.

Parent: has the meaning given in the Education act 1996, and includes any person having parental responsibility or care of a child.

4. The Data Controller

Headlands School processes personal information relating to students, staff, parents, students' emergency contacts and visitors, and, therefore, is a Data Controller. The School is registered as a Data Controller with the Information Commissioner's Office and renews this registration annually.

5. Data Protection Principles

The GDPR is based on the following data protection principles, or rules for good data handling:

- Data shall be processed lawfully, fairly and in a transparent manner in relation to individuals.
- Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes.
- Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
- Accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay.
- Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals.
- Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

6. Roles and responsibilities

The Governing Body has overall responsibility for ensuring that the School complies with its obligations under the GDPR. Day-to-day responsibilities rest with the Headteacher. The Headteacher will ensure that all staff are aware of their data protection obligations, and oversee any queries related to the storing or processing of personal data. Staff are responsible for ensuring that they collect and store any personal data in accordance with this policy. Staff must also inform the school of any changes to their personal data, such as a change of address.

Data breach reporting is mandatory under the GDPR and all staff are aware of their obligation to report data breaches without delay.

7. Privacy/Fair Processing Notice

7.1 Students and parents

We hold personal data about students to support teaching and learning, to provide pastoral care and to assess how the school is performing. We may also receive data about students from other organisations including, but not limited to, other schools, Local Authorities, the Department for Education and the National Health Service. This data includes, but is not restricted to:

- Contact details
- Results of internal assessment and externally set tests
- Data on student characteristics, such as ethnic group / Special Educational Needs and Disabilities
- Exclusion information
- Details of any medical conditions

We will only retain the data we collect for as long as is necessary to satisfy the purpose for which it has been collected. We will not share information about students with anyone without consent unless the law and our policies allow us to do so. Individuals who wish to receive a copy of the information that we hold about them / their child should refer to sections 8 and 9 of this Policy.

We are required, by law, to pass certain information about students to specified external bodies, such as our Local Authority and the Department for Education, so that they can meet their statutory obligations.

7.2 Staff

We process data relating to those we employ to work at, or otherwise engage to work at, our School. The purpose of processing this data is to assist in the running of the school, including to:

- enable individuals to be paid
- facilitate safer recruitment practice
- support the effective performance management of staff
- improve the management of workforce data across the education sector
- inform our recruitment and retention policies
- allow better financial modelling and planning
- enable monitoring of people with, and without, Protected Characteristics under the Equality Act
- support the work of the School Teachers' Review Body

Staff personal data includes, but is not limited to, information such as:

- contact details, next of kin
- National Insurance numbers
- salary information
- qualifications
- absence data
- personal characteristics/protected characteristics
- medical information
- outcomes of any disciplinary procedures

We will only retain the data we collect for as long as is necessary to satisfy the purpose for which it has been collected. We will not share information about staff with third parties without consent unless the law allows us to. This may include advisers such as our Occupational Health and our Human Resources advisers. We are required, by law, to pass certain information about staff to specified external bodies, such as our Local Authority and the Department for Education, so that they can meet their statutory obligations. Any staff member wishing to see a copy of information about them that the school holds should contact the Headteacher.

8. Subject Access Requests

Under the GDPR, Staff, Students and Parents \ Carers have a right to request access to information the school holds about them. This is known as a Subject Access Request. Subject Access Requests must be submitted in writing, either by letter or email. Requests should include:

- The subjects name
- A correspondence address
- A contact number and email address
- Details about the information requested

The School will not reveal the following information in response to Subject Access Requests:

- Information that might cause serious harm to the physical or mental health of the subject or another individual
- Information that would reveal that the child is at risk of abuse, where disclosure of that information would not be in the child's best interests
- Information contained in adoption and parental order records
- Certain information given to a court in proceedings concerning the child

Where a request for subject access is received from a student, the school's policy is that:

- Requests from students will be processed as any subject access request as outlined below and the copy will be given directly to the student, unless it is clear that the student does not understand the nature of the request.
- Requests from students who do not appear to understand the nature of the request will be referred to their parents or carers.
- Requests from parents in respect of their own child will be processed as requests made on behalf of the data subject (the child) and will be sent to the requesting parent.

Subject Access Requests will be responded to within 1 calendar month. Subject Access Requests received during school holiday periods, specifically the summer holidays, will start to be processed at the start of the next academic term.

The subject access request is usually free of charge.

9. Parental Requests to see the Educational Record

Parents of students at this school do not have an automatic right to access their child's educational record. The school will decide on a case-by-case basis whether to grant such requests, and we will bear in mind guidance issued from time to time from the Information Commissioner's Office (the organisation that upholds information rights).

For a parent to make a subject access request, the child must either be unable to understand their rights and the implications of a Subject Access Request or have given their consent. The Information Commissioner's Office, the organisation that upholds information rights, generally regards children aged 12 and above as mature enough to understand their rights and the implications of a Subject Access Request. Therefore, most Subject Access Requests from parents of students at our school may not be granted without the express permission of the student.

10. Storage of records

- Paper-based records and portable electronic devices, such as laptops and hard drives that contain personal information are kept under lock and key when not in use.
- Papers containing confidential personal information should not be left on office and classroom desks, on staffroom tables or pinned to noticeboards where there is general access.
- Staff must adhere to school policies and procedures when taking data off site.
- Passwords that are at least 8 characters long containing letters and numbers are used to access school computers, online resources, laptops and other electronic devices.
- Encryption software is used to protect portable devices and removable media, such as laptops and USB devices. Encryption, anonymisation and pseudonymisation will be used to protect the data.
- Staff, students or governors who store personal information on their personal devices are expected to follow the same security procedures for school-owned equipment.

11. Disposal of Records

Personal information that is no longer needed, or has become inaccurate or out of date, is disposed of securely. For example, we will shred paper-based records, and override electronic files.

12. Training

Our staff are provided with online data protection training as part of their induction process and this is refreshed bi-annually. Data protection will also form part of continuing professional development, where changes to legislation or the school's processes make it necessary to keep staff up to date.

13. Monitoring Arrangements

The Headteacher is responsible for monitoring and reviewing this policy. The School Data Protection Officer checks that the school complies with this policy by, among other things, reviewing school records at least annually or more frequently if required. This document will be reviewed every 2 years. At every review, the policy will be shared with the Governing Body.