



Langley Grammar School

Data protection policy

Rationale

Langley Grammar School acknowledges that to function properly we need to collect and use certain types of information about staff, students and other individuals who come into contact with school. We are also obliged to collect and use data to fulfil our obligations to the Local Authority, Department for Education and other bodies. We deal with all information properly in whatever way it is collected, recorded and used – on paper, in a computer, or recorded on other material. We regard the lawful and correct treatment of personal information as very important to successful operations, and to maintaining confidence between those with whom we deal and ourselves. We are conscious that much of the data we hold is classified as sensitive data and are aware of the extra care this kind of information requires. We ensure that our organisation treats personal information lawfully and correctly. To this end we fully endorse and adhere to the Principles of Data Protection, as detailed in the Data Protection Act 1998 (DPA).

Data Protection Principles

All members of staff employed in our school are required to adhere to the eight data protection principles set out in the 1998 data protection act:

1. Data shall be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met.
2. Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
4. Personal data shall be accurate and, where necessary, kept up to date.
5. Personal data shall not be kept for longer than is necessary for that purpose or those purposes.
6. Personal data shall be processed in accordance with the rights of data subjects under the DPA.
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 or territory outside the European Economic Area, 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.

School Practice

Within school we will, through appropriate management, ensure strict application of criteria and controls. These are to:

- Notify the Information Commissioner's Office that we process personal data and re-notify if procedures change or are amended
- Observe fully the conditions regarding the fair collection and use of information. To achieve this we have in place and use a privacy notice, sometimes called a fair processing notice – see Appendix 2
- Meet our 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 fulfil operational needs or to comply with any legal requirements.
- Ensure the quality of information used.
- 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 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 and the right to correct, rectify, block or erase information which is regarded as wrong information.
- Take appropriate technical and organisational security measures to safeguard personal information. We will review the physical security of buildings and storage systems as well as access to them. All portable devices must be kept as securely as possible on and off school premises.
- Ensure that all Disclosure and barring Service (DBS< formerly Criminal Records Bureau) records (recruitment and vetting checks) are kept in a safe central place and that no unnecessary certification information is kept longer than six months.
- Ensure that personal information is not transferred abroad without suitable safeguards.
- Treat people justly and fairly whatever their age, religion, disability, gender, sexual orientation or ethnicity when dealing with requests for information.
- Set out clear procedures for responding to requests for information – see Appendix 1.
- Have in place secure methods for safely disposing of all electronic and paper records.
- Be sure that photographs of students are not included in any school publication or on the school website without specific consent.
- Take care that CCTV which captures or processes images of identifiable individuals is done in line with data protection principles.

We will also ensure that:

- There is a named person with specific responsibility for Data Protection within the school.
- 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 appropriately supervised.
- Anyone wanting to make enquiries about handling personal information knows what to do.
- Queries about handling personal information are properly and courteously dealt with.
- Methods of handling personal information are clearly described.
- A regular review and audit is made of the way personal information is held, managed and used.
- Methods of handling personal information are regularly assessed and evaluated.
- Performance with handling personal information is regularly assessed and evaluated.
- A breach of the rules and procedures identified in this policy may lead to disciplinary action being taken against the members of staff concerned.
- When information is authorised for disposal it is done appropriately.

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

Ratification and review dates

Approved by the Governing Body on: 20 May 2014

Review date: May 2016

Appendix 1 - Dealing with a subject access request

- Requests for information must be made in writing (which includes the use of e-mail) and be addressed to the headteacher. If the initial request does not clearly specify the information required, then the school will make further enquiries.
- The headteacher must be confident of the identity of the individual making the request. When the request concerns data about a pupil, checks will also be carried out regarding proof of relationship to the child. In addition, evidence of identity will be established by requesting production of:
 - Passport
 - Driving licence
 - Utility bills with the current address
 - Birth/marriage certificate
 - P45/P60
 - Credit card or mortgage statement (this list is not exhaustive)
- As stated above, any individual has the right of access to information held about them. However, in the case of children this is dependent upon their capacity to understand (normally age 12 or above) and the nature of the request. The headteacher should discuss the request with the child and take their views into account when making a decision. A child with competency to understand can refuse to grant consent to the request for their records. Where the child is not deemed to be competent, an individual with parental responsibility or guardian shall make the decision on behalf of the child.
- The school may make a charge for the provision of information, depending on the following:
 - No charge can be made if the requester simply wants to view the educational record of a child.
 - Should the information requested require a copy of the educational record, then the amount charged will be dependent upon the number of pages provided. This type of record is available to all parents until the child becomes an adult with or without the consent of the child. The school is required to respond within 15 school days.
 - Should the information requested be personal information that is not an educational record, schools can charge up to £10 to provide it.
- The response time for subject access requests, other than for educational records is 40 days from receipt (this refers to calendar days irrespective of school holiday periods).
- The DPA allows exemptions as to the provision of some information; therefore all information will be reviewed prior to disclosure.
- Third party information is information that has been provided by another person such as the LA, the police, a health care professional or another school. It is normal good practice to seek the consent of the third party before disclosing information. Even if the third party does not consent, or consent is explicitly not given, the data may be disclosed. There is no need in the case of third party requests to adhere to the 40-day statutory timescale.
- Any information that could cause serious harm to the physical, emotional or mental health of a pupil or another person may not be disclosed, nor should information that would reveal that the child is at risk of abuse. The same stricture applies to information relating to court proceedings.
- If there are concerns about the disclosure of information, then additional advice should be sought, usually from the Information Commission's Office.
- When redaction (blacking out or obscuring of data) has taken place, then a full copy of the information provided will be retained in order to establish, if a complaint is made, what was redacted and why.
- Information disclosed should be clear, with any codes, technical terms, abbreviations or acronyms explained. If information contained within the disclosure is difficult to read or illegible, it will be retyped.

- Information can be provided at the school with a member of staff on hand to assist if requested, or provided at face-to-face handover. The views of the applicant will be taken into account when considering the method of delivery. If postal systems have to be used, then registered or recorded mail will be used.
- Complaints will be dealt with in accordance with the school complaints procedure, which is available on-line or from the school office. Should the complainant wish to take the matter further, it may be referred to the Information Commissioner www.ico.gov.uk.
- This policy will be reviewed by the Governors at least every two years.

Appendix 2 – Privacy Notices

LANGLEY GRAMMAR SCHOOL

Pupils in Schools, Alternative Provision and Pupil Referral Units and Children in Early Years Settings



Privacy Notice - Data Protection Act 1998

We, Langley Grammar School, are a data controller for the purposes of the Data Protection Act. We collect information from you and may receive information about you from your previous school and the Learning Records Service. We hold this personal data and use it to:

- Support your teaching and learning;
- Monitor and report on your progress;
- Provide appropriate pastoral care, and
- Assess how well your school is doing.

This information includes your contact details, national curriculum assessment results, attendance information and personal characteristics such as your ethnic group, any special educational needs and relevant medical information. If you are enrolling for post 14 qualifications we will be provided with your unique learner number (ULN) by the Learning Records Service and may also obtain from them details of any learning or qualifications you have undertaken.

We will not give information about you to anyone outside the school without your consent unless the law and our rules allow us to.

We are required by law to pass some information about you to the Local Authority and the Department for Education (DfE)

We are required by law to pass some information about you to the Department for Education (DfE) and, in turn, this will be available for the use(s) of the Local Authority.

If you want to see a copy of the information about you that we hold and/or share, please contact Jane Milward, the Headteacher's PA.

If you require more information about how the Local Authority (LA) and/or DfE store and use your information, then please go to the following websites:

<http://www.slough.gov.uk/council/data-protection-and-foi/privacy-notices.aspx> and

http://www.education.gov.uk/researchand_statistics/datadatam/b00212337/database

If you are unable to access these websites we can send you a copy of this information. Please contact the LA or DfE as follows:

- Education and Children's Services, Slough Borough Council, St Martin's Place, 51 Bath Road, Slough, Berkshire, SL1 3UF; Tel: 01753 875700; E-mail: edhelp@slough.gov.uk
- Public Communications Unit
Department for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT

Website: www.gov.uk/government/organisations/department-for-education
email: <http://www.education.gov.uk/help/contactus>
Telephone: 0370 000 2288

In addition for Secondary and Middle deemed Secondary Schools

Once you are aged 13 or over, we are required by law to pass on certain information to the provider of youth support services in your area. This is the local authority support service for young people aged 13 to 19 in England. We must provide the address of you and your parents (and your date of birth) and any further information relevant to the support services' role.

However, until you are aged 16 or older, your parent(s) can ask that no information beyond your name, address and date of birth (and their name and address) be passed on to the youth services provider. This right transfers to you on your 16th birthday. Please inform Jane Milward if this is what you or your parents wish.

For more information about young peoples' services, please go to the Directgov Young People page at www.direct.gov.uk/en/YoungPeople/index.htm or the LA website shown above.

LANGLEY GRAMMAR SCHOOL

School Workforce: those employed or otherwise engaged to work at a school or the Local Authority



Privacy Notice - Data Protection Act 1998

We, Langley Grammar School, are the Data Controller for the purposes of the Data Protection Act.

Personal data is held by the school about those employed or otherwise engaged to work at the school or Local Authority. This is to assist in the smooth running of the school and/or enable individuals to be paid. The collection of this information will benefit both national and local users by:

- Improving the management of school workforce data across the sector;
- Enabling a comprehensive picture of the workforce and how it is deployed to be built up;
- Informing the development of recruitment and retention policies;
- Allowing better financial modeling and planning;
- Enabling ethnicity and disability monitoring; and
- Supporting the work of the School Teacher Review Body and the School Support Staff Negotiating Body.

This personal data includes some or all of the following - identifiers such as name and National Insurance Number and characteristics such as ethnic group; employment contract and remuneration details, qualifications and absence information.

We will not give information about you to anyone outside the school or Local Authority (LA) without your consent unless the law and our rules allow us to.

We are required by law to pass on some of this data to:

- the LA
- the Department for Education (DfE)

If you require more information about how the LA and/or DfE store and use this data please go to the following websites:

- <http://www.slough.gov.uk/council/data-protection-and-foi/privacy-notices.aspx> and
- <http://www.education.gov.uk/schools/adminandfinance/schooladmin/a0077963/what-the-department-does-with-school-workforce-data>

If you are unable to access these websites, please contact the LA or DfE as follows:

- Education and Children's Services, Slough Borough Council, St Martin's Place, 51 Bath Road, Slough, Berkshire, SL1 3UF; Tel: 01753 875700; E-mail: edhelp@slough.gov.uk.
- Public Communications Unit, Department for Education, Sanctuary Buildings, Great Smith Street London, SW1P 3BT
Website: www.gov.uk/government/organisations/department-for-education
Email: info@education.gsi.gov.uk
Telephone: 0370 000 2288.