

All Saints Schools Trust



Data Protection 2018 - 22

	Date	Signed
Agreed by Trust Board:	July 2018	Chair of Board James Hargrave
Lead:	HR Committee	
Review date:	July 2020	

Data Protection Policy

Rationale:

All Saints Schools Trust collects and uses personal information about staff, pupils, parents and other individuals who come into contact with the school. This information is gathered in order to enable it to provide education and other associated functions. In addition, there may be a legal requirement to collect and use information to ensure that the school complies with its statutory obligations.

Trusts have a duty to be registered, as Data Controllers, with the Information Commissioner's Office (ICO) detailing the information held and its use. These details are then available on the ICO's website. Schools also have a duty to issue a Fair Processing Notice (Privacy Notice) to all pupils/parents; this summarises the information held on pupils, why it is held and the other parties to whom it may be passed on.

Aim:

This policy is intended to ensure that personal information is dealt with correctly and securely and in accordance with the General Data Protection Regulation, and other related legislation. It will apply to information regardless of the way it is collected, used, recorded, stored and destroyed, and irrespective of whether it is held in paper files or electronically.

All staff involved with the collection, processing and disclosure of personal data will be aware of their duties and responsibilities by adhering to these guidelines.

What is Personal Information?

Personal information or data is defined as data which relates to a living individual who can be identified from that data, or other information held.

Data Protection Principles:

The General Data Protection Regulation establishes six enforceable principles that must be adhered to at all times. GDPR requires that personal data shall be:

- a) processed lawfully, fairly and in a transparent manner in relation to individuals;
- b) 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;

- c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d) 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;
- e) 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; and
- f) 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.”

General Statement:

The Trust is committed to maintaining the above principles at all times. Therefore the Trust and it's schools will:

- ☐ Inform individuals why the information is being collected when it is collected
- ☐ Inform individuals when their information is shared, and why and with whom it was shared
- ☐ Check the quality and the accuracy of the information it holds
- ☐ Ensure that information is not retained for longer than is necessary
- ☐ Ensure that when obsolete information is destroyed that it is done so appropriately and securely
- ☐ Ensure that clear and robust safeguards are in place to protect personal information from loss, theft and unauthorised disclosure, irrespective of the format in which it is recorded
- ☐ Share information with others only when it is legally appropriate to do so
- ☐ Set out procedures to ensure compliance with the duty to respond to requests for access to personal information, known as Subject Access Requests
- ☐ Ensure our staff are aware of and understand our policies and procedures

The Trust and School Privacy notices which are provided to parents and staff are attached as Appendix A and B.

Complaints:

Complaints will be dealt with in accordance with the Trust's Complaints Policy. Complaints relating to information handling may be referred to the Information Commissioner (the statutory regulator).

Review:

This policy will be reviewed as it is deemed appropriate, but no less frequently than every 2 years. The policy review will be undertaken by the Chief Executive Officer (CEO).

Contacts:

If you have any enquires in relation to this policy, please contact the CEO who will also act as the contact point for any subject access requests.

Further advice and information is available from the Information Commissioner's Office:

Information Commissioner
Wycliffe House
Water Lane
Wilmslow, Cheshire
SK9 5AF
0303 1231113 or 01625 545745
www.ico.gov.uk

Document History

Version	Date	Comments
Issue 1	July 2018	Prepared in line with new GDPR regulations.

Appendix A - Privacy Notice : Pupils

All Saints Schools Trust Primary School Pupil Privacy Notice

General Data Protection Regulation: How we use your information

Why do we collect and use pupil information?

We collect and use pupil information under the terms of the General Data Protection Regulation (GDPR), in order to protect the vital interests of our pupils (Article 6 of GDPR) whilst ensuring that this is done in the course of our legitimate activities, with appropriate safeguards to ensure that personal data is not disclosed to an external organisation without the consent of the pupils (Article 9 of GDPR).

We hold and use the pupil data to:

- ☐ Support our pupils' learning
- ☐ Monitor and report on their progress
- ☐ Provide appropriate pastoral care
- ☐ Assess the quality of our services, and
- ☐ Comply with the law regarding data sharing.

The categories of pupil information that we collect, hold and share include:

- ☐ Personal information (such as name, unique pupil number and address)
- ☐ Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- ☐ Attendance information ⁽¹⁾ (such as sessions attended, number of absences and absence reasons)
- ☐ National curriculum assessment results
- ☐ Any exclusion/behavioural information
- ☐ Any special education needs
- ☐ Relevant medical information
- ☐ Where they go after they leave us

⁽¹⁾ Attendance is not collected for pupils under 5 at Early Years Settings although a paper register is taken each morning.

Collecting pupil information

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the GDPR, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

Storing pupil data

We hold pupil data until they are school leaver's age (18)

Who do we share pupil information with?

We routinely share pupil information with:

- ☐ Schools that the pupils attend after leaving us
- ☐ Our local authority (Suffolk County Council)
- ☐ The Department for Education (DfE)
- ☐ Pupil Asset for assessment analysis
- ☐ SchoolMoney (Eduspot.co.uk) for dinner register and pupil payment purposes

Why we share pupil information

We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so.

We share pupils' data with the DfE on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring. The Department has robust processes in place to ensure the confidentiality of our data is maintained, and there are stringent controls in place regarding access and use of the data.

We are required to share information about our pupils with our local authority (LA) and the Department for Education (DfE) under section 3 of The Education (Information about Individual Pupils) (England) Regulations 2013.

To find out more about the data collection requirements placed on us by the Department for Education (for example; via the school census) go to

<https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

The National Pupil Database (NPD)

The NPD is owned and managed by the Department for Education and contains information about pupils in schools in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the Department. It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

We are required by law, to provide information about our pupils to the DfE as part of statutory data collections such as the school census and early years' census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the pupil information we share with the department, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The department may share information about our pupils from the NPD with third parties who promote the education or well-being of children in England by:

- ☐ conducting research or analysis

- ☐ producing statistics
- ☐ providing information, advice or guidance

The Department has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- ☐ who is requesting the data
- ☐ the purpose for which it is required
- ☐ the level and sensitivity of data requested: and
- ☐ the arrangements in place to store and handle the data

To be granted access to pupil information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the department's data sharing process, please visit:
<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the department has provided pupil information, (and for which project), please visit the following website:
<https://www.gov.uk/government/publications/national-pupil-database-requests-received>

To contact DfE: <https://www.gov.uk/contact-dfe>

Requesting access to your personal data

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, please contact the school office.

You also have the right to:

- ☐ object to processing of personal data that is likely to cause, or is causing, damage or distress
- ☐ prevent processing for the purpose of direct marketing
- ☐ object to decisions being taken by automated means
- ☐ in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- ☐ claim compensation for damages caused by a breach of the General Data Protection Regulation.

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Contact

If you would like to discuss anything in this privacy notice, please contact the school administrator, Ms Sian Francis - tel: 01379 870497; email: admin@eyeprimarysuffolk.org.

Appendix B - Privacy Notice : Staff

All Saints Schools Trust

Staff Privacy Notice

General Data Protection Regulation: How we use your information

Why do we collect and use staff information?

We collect and use staff information under the terms of the General Data Protection Regulation (GDPR), in order to protect the vital interests of our staff (Article 6 of GDPR) whilst ensuring that this is done in the course of our legitimate activities, with appropriate safeguards to ensure that personal data is not disclosed to an external organisation without the consent of the staff (Article 9 of GDPR).

We hold and use the staff data to:

- ☐ Support staff CPD
- ☐ Monitor progress
- ☐ Provide appropriate pastoral care
- ☐ Manage HR and payroll
- ☐ Monitor safeguarding checks
- ☐ Comply with the law regarding data sharing.

The categories of staff information that we collect, hold and share include:

- ☐ Personal information (such as name, address, contact details, emergency contacts)
- ☐ Safeguarding checks
- ☐ Application documentation
- ☐ Appraisals and training records
- ☐ Proof of right to work in the UK
- ☐ Medical information
- ☐ Absence record
- ☐ Payroll and contract details

Storing staff data

We hold records of safeguarding checks until staff are of retirement age or for ten years, whichever is greater. Individual personnel files and payroll records are retained for six years plus the current year.

Who do we share staff information with?

We routinely share staff information with:

- ☐ All Saints Schools Trust HR
- ☐ Our local authority (Suffolk County Council)
- ☐ The Department for Education (DfE)
- ☐ Schools Choice HR & Payroll
- ☐ Staff absence insurance provider

Why we share staff information

We do not share information about our staff with anyone without consent unless the law and our policies allow us to do so.

We share staff data with the DfE on a statutory basis. The Department has robust processes in place to ensure the confidentiality of our data is maintained, and there are stringent controls in place regarding access and use of the data.

To find out more about the data collection requirements placed on us by the Department for Education go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

Requesting access to your personal data

Under data protection legislation, staff have the right to request access to information about them that we hold. To make a request for your personal information, please contact the school office.

You also have the right to:

- ☐ object to processing of personal data that is likely to cause, or is causing, damage or distress
- ☐ prevent processing for the purpose of direct marketing
- ☐ object to decisions being taken by automated means
- ☐ in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- ☐ claim compensation for damages caused by a breach of the General Data Protection Regulation.

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>.

Contact

If you would like to discuss anything in this privacy notice, please contact the school administrator, Ms Sian Francis - Tel: 01379 870497; e-mail: admin@eyeprimarysuffolk.org