

Steam Mills Primary School

**Policy and Procedure: GDPR**

**Data Protection Policy**

**General Data Protection Regulation**

**Our Commitment:**

Steam Mills Primary is committed to the protection of all personal and sensitive data for

which it holds responsibility as the Data Controller and the handling of such data in

line with the data protection principles and the Data Protection Act (DPA).

[Guide to data protection | ICO](https://ico.org.uk/for-organisations/guide-to-data-protection/)

Changes to data protection legislation (GDPR May 2018) shall be monitored and

implemented in order to remain compliant with all requirements.

The legal bases for processing data are as follows –

**(a) Consent:** the member of staff/student/parent has given clear consent for the

school to process their personal data for a specific purpose.

**(b) Contract:** the processing is necessary for the member of staff’s employment

contract or student placement contract.

**(c) Legal obligation:** the processing is necessary for the school to comply with the

law (not including contractual obligations)

The members of staff responsible for data protection within our school are mainly the Head Teacher and the School Business Manager. However all staff must treat all student information in a confidential manner and follow the guidelines as set out in this document.

We have also appointed Gloucestershire County Council as our Data Protection Officer and they can be contacted on 01452 583619 or schoolsdpo@gloucestershire.gov.uk

The school is committed to ensuring that its staff are aware of data protection

policies, legal requirements and adequate training is provided by Gloucestershire County Council..

The requirements of this policy are mandatory for all staff employed by the school

and any third party contracted to provide services within the school.

**Notification:**

Our data processing activities will be registered with the Information Commissioner’s

Office (ICO) as required of a recognised Data Controller. Details are available from

the ICO:

[Register of data controllers | ICO](https://ico.org.uk/about-the-ico/what-we-do/register-of-data-controllers/)

Changes to the type of data processing activities being undertaken shall be notified

to the ICO and details amended in the register.

Breaches of personal or sensitive data shall be notified within 72 hours to the

individual(s) concerned and the ICO.

**Personal and Sensitive Data:**

All data within the school’s control shall be identified as personal, sensitive or both to

ensure that it is handled in compliance with legal requirements and access to it does

not breach the rights of the individuals to whom it relates.

The definitions of personal and sensitive data shall be as those published by the ICO

for guidance: The principles of the Data Protection Act shall be applied to all data processed: [Key definitions of the Data Protection Act | ICO](https://ico.org.uk/for-organisations/guide-to-data-protection/key-definitions/)

• ensure that data is fairly and lawfully processed

• process data only for limited purposes

• ensure that all data processed is adequate, relevant and not excessive

• ensure that data processed is accurate

• not keep data longer than is necessary

• process the data in accordance with the data subject's rights

• ensure that data is secure

• ensure that data is not transferred to other countries without adequate

protection.

**Fair Processing / Privacy Notice:**

We shall be transparent about the intended processing of data and communicate

these intentions via notification to staff, parents and pupils prior to the processing of

individual’s data.

Notifications shall be in accordance with ICO guidance and, where relevant, be

written in a form understandable by those defined as ‘Children’ under the

legislation.

[Privacy notices, transparency and control | ICO](https://ico.org.uk/for-organisations/guide-to-data-protection/privacy-notices-transparency-and-control/)

There may be circumstances where the school is required either by law or in the best

interests of our students or staff to pass information onto external authorities, for

example local authorities, Ofsted, or the department of health. These authorities are

up to date with data protection law and have their own policies relating to the

protection of any data that they receive or collect.

The intention to share data relating to individuals to an organisation outside of our

school shall be clearly defined within notifications and details of the basis for sharing

given. Data will be shared with external parties in circumstances where it is a legal

requirement to provide such information.

Any proposed change to the processing of individual’s data shall first be notified to

them.

Under no circumstances will the school disclose information or data:

* that would cause serious harm to the child or anyone else’s physical or

mental health or condition

* indicating that the child is or has been subject to child abuse or may be at

risk of it, where the disclosure would not be in the best interests of the child

* recorded by the pupil in an examination
* that would allow another person to be identified or identifies another person as the source, unless the person is an employee of the school or a local authority or has given consent, or it is reasonable in the circumstances to disclose the information without consent. The exemption from disclosure does not apply if the information can be edited so that the person’s name or identifying details are removed
* in the form of a reference given to another school or any other place of

education and training, the child’s potential employer, or any national

body concerned with student admissions.

**Data Security:**

In order to assure the protection of all data being processed and inform decisions on

processing activities, we shall undertake an assessment of the associated risks of

proposed processing and equally the impact on an individual’s privacy in holding

data related to them.

Risk and impact assessments shall be conducted in accordance with guidance

given by the ICO:

[Information security (Principle 7) | ICO](https://ico.org.uk/for-organisations/guide-to-data-protection/principle-7-security/)

Security of data shall be achieved through the implementation of proportionate

physical and technical measures. Nominated staff shall be responsible for the

effectiveness of the controls implemented and reporting of their performance.

The security arrangements of any organisation with which data is shared shall also

be considered and where required these organisations shall provide evidence of the

competence in the security of shared data.

**Data Access Requests (Subject Access Requests):**

All individuals whose data is held by us, has a legal right to request access to such

data or information about what is held. We shall respond to such requests within one

month and they should be made in writing to:

Marcella Scoles

Steam Mills Primary School

Steam Mills

Cinderford

Gloucestershire

GL14 3JD

No charge will be applied to process the request.

Personal data about pupils will not be disclosed to third parties without the consent

of the child’s parent or carer, unless it is obliged by law or in the best interest of the

child. Data may be disclosed to the following third parties without consent:

• **Other schools**

If a pupil transfers from Steam Mills Primary to another school, their

academic records and other data that relates to their health and welfare

will be forwarded onto the new school. This will support a smooth transition

from one school to the next and ensure that the child is provided for as is

necessary. It will aid continuation which should ensure that there is minimal

impact on the child’s academic progress as a result of the move.

• **Examination authorities**

This may be for registration purposes, to allow the pupils at our school to sit

examinations set by external exam bodies.

• **Health authorities**

As obliged under health legislation, the school may pass on information

regarding the health of children in the school to monitor and avoid the

spread of contagious diseases in the interest of public health.

• **Police and courts**

If a situation arises where a criminal investigation is being carried out we

may have to forward information on to the police to aid their

investigation. We will pass information onto courts as and when it is

ordered.

• **Social workers and support agencies**

In order to protect or maintain the welfare of our pupils, and in cases of

child abuse, it may be necessary to pass personal data on to social

workers or support agencies.

• **Educational division**

Schools may be required to pass data on in order to help the government

to monitor the national educational system and enforce laws relating to

education.

• **Right to be Forgotten:**

Where any personal data is no longer required for its original purpose, an

individual can demand that the processing is stopped and all their

personal data is erased by the school including any data held by

contracted processors.

**Photographs and Video:**

Images of staff and pupils may be captured at appropriate times and as part of

educational activities for use in school only.

Unless prior consent from parents/pupils/staff has been given, the school shall not

utilise such images for publication or communication to external sources.

It is the school’s policy that external parties (including parents) may not capture

images of staff or pupils during such activities without prior consent.

**Location of information and data:**

Hard copy data, records, and personal information are stored out of sight and in a

locked cupboard or office. The only exception to this is medical information that may require immediate access during the school day. This will be stored with the school medical officer.

Sensitive or personal information and data should not be removed from the school

site, however the school acknowledges that some staff may need to transport data

between the school and their home in order to access it for work in the evenings

and at weekends. This may also apply in cases where staff have offsite meetings, or

are on school visits with pupils.

The following guidelines are in place for staff in order to reduce the risk of personal

data being compromised:

• Paper copies of data or personal information should not be taken off the

school site. If these are misplaced they are easily accessed. If there is no

way to avoid taking a paper copy of data off the school site, the

information should not be on view in public places, or left unattended

under any circumstances.

• Unwanted paper copies of data, sensitive information or pupil files should

be shredded. This also applies to handwritten notes if the notes reference

any other staff member or pupil by name.

• Care must be taken to ensure that printouts of any personal or sensitive

information are not left in printer trays or photocopiers.

• If information is being viewed on a PC, staff must ensure that the window

and documents are properly shut down before leaving the computer

unattended. Sensitive information should not be viewed on public

computers..

• Laptops and USB sticks that staff use must be password protected.

These guidelines are clearly communicated to all school staff, and any person who is

found to be intentionally breaching this conduct will be disciplined in line with the

seriousness of their misconduct.

**Data Disposal:**

The school recognises that the secure disposal of redundant data is an integral

element to compliance with legal requirements and an area of increased risk.

All data held in any form of media (paper, tape, electronic) shall only be passed to

a disposal partner with demonstrable competence in providing secure disposal

services.

All data shall be destroyed or eradicated to agreed levels meeting recognised

national standards, with confirmation at completion of the disposal process.

Disposal of IT assets holding data shall be in compliance with ICO guidance:

<https://ico.org.uk/media/for-organisations/documents/1570/it_asset_disposal_for_organisations.pdf>

**The school has identified a qualified source for disposal of IT assets and collections.**

**The school also uses Focus Networks to dispose of sensitive data that is no longer required.**