



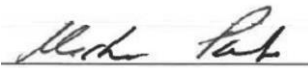
Data Protection Policy

Including Employee HR Data Policy and Privacy

Notices.

Watlinton Community Primary School

May 2024

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1. Aims

Our school aims to ensure that all personal data collected about staff, pupils, parents and carers, governors, visitors and other individuals is collected, stored and processed in accordance with UK data protection law.

This policy applies to all personal data, regardless of whether it is in paper or electronic format.

2. Legislation and guidance

This policy meets the requirements of the:

- UK General Data Protection Regulation (UK GDPR) – the EU GDPR was incorporated into UK legislation, with some amendments, by [The Data Protection, Privacy and Electronic Communications \(Amendments etc\) \(EU Exit\) Regulations 2020](#)
- [Data Protection Act 2018 \(DPA 2018\)](#)

It is based on guidance published by the Information Commissioner's Office (ICO) on the [UK GDPR](#) and guidance from the Department for Education (DfE) on [Generative artificial intelligence in education](#).

It also reflects the ICO's [guidance](#) for the use of surveillance cameras and personal information.

3. Definitions

TERM	DEFINITION
Personal data	<p>Any information relating to an identified, or identifiable, living individual.</p> <p>This may include the individual's:</p> <ul style="list-style-type: none"> › Name (including initials) › Identification number › Location data › Online identifier, such as a username <p>It may also include factors specific to the individual's physical, physiological, genetic, mental, economic, cultural or social identity.</p>
Special categories of personal data	<p>Personal data which is more sensitive and so needs more protection, including information about an individual's:</p> <ul style="list-style-type: none"> › Racial or ethnic origin › Political opinions › Religious or philosophical beliefs › Trade union membership › Genetics › Biometrics (such as fingerprints, retina and iris patterns), where used for identification purposes › Health – physical or mental › Sex life or sexual orientation
Processing	<p>Anything done to personal data, such as collecting, recording, organising, structuring, storing, adapting, altering, retrieving, using, disseminating, erasing or destroying.</p> <p>Processing can be automated or manual.</p>
Data subject	<p>The identified or identifiable individual whose personal data is held or processed.</p>
Data controller	<p>A person or organisation that determines the purposes and the means of processing personal data.</p>
Data processor	<p>A person or other body, other than an employee of the data controller, who processes personal data on behalf of the data controller.</p>
Personal data breach	<p>A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data.</p>

4. The data controller

Our school processes personal data relating to parents and carers, pupils, staff, governors, visitors and others, and therefore is a data controller.

The school has paid its data protection fee to the ICO, as legally required.

5. Roles and responsibilities

This policy applies to **all staff** employed by our school, and to external organisations or individuals working on our behalf. Staff who do not comply with this policy may face disciplinary action.

5.1 Governing board

The governing board has overall responsibility for ensuring that our school complies with all relevant data protection obligations.

5.2 Data protection officer (DPO)

The data protection officer (DPO) is responsible for overseeing the implementation of this policy, monitoring our compliance with data protection law, and developing related policies and guidelines where applicable.

They will provide an annual report of their activities directly to the governing board and, where relevant, report to the board their advice and recommendations on school data protection issues.

The DPO is also the first point of contact for individuals whose data the school processes, and for the ICO.

Full details of the DPO's responsibilities are set out in their service agreement.

Our DPO is outsourced to Data Protection Education Team, and is contactable via kb@dataprotection.education. The Data Protection Lead is the Headteacher to manage data protection day to day, although tasks may be delegated to administrative staff.

5.3 Headteacher

The headteacher acts as the representative of the data controller on a day-to-day basis.

5.4 All staff

Staff are responsible for:

- Collecting, storing and processing any personal data in accordance with this policy
- Informing the school of any changes to their personal data, such as a change of address
- Contacting the DPO in the following circumstances:
 - With any questions about the operation of this policy, data protection law, retaining personal data or keeping personal data secure
 - If they have any concerns that this policy is not being followed
 - If they are unsure whether or not they have a lawful basis to use personal data in a particular way
 - If they need to rely on or capture consent, draft a privacy notice, deal with data protection rights invoked by an individual, or transfer personal data outside the UK
 - If there has been a data breach
 - Whenever they are engaging in a new activity that may affect the privacy rights of individuals
 - If they need help with any contracts or sharing personal data with third parties

6. Data protection principles

The UK GDPR is based on data protection principles that our school must comply with.

The principles say that personal data must be:

- Processed lawfully, fairly and in a transparent manner
- Collected for specified, explicit and legitimate purposes
- Adequate, relevant and limited to what is necessary to fulfil the purposes for which it is processed
- Accurate and, where necessary, kept up to date

- › Kept for no longer than is necessary for the purposes for which it is processed
- › Processed in a way that ensures it is appropriately secure

This policy sets out how the school aims to comply with these principles.

7. Collecting personal data

7.1 Lawfulness, fairness and transparency

We will only process personal data where we have 1 of 6 'lawful bases' (legal reasons) to do so under data protection law:

- › The data needs to be processed so that the school can **fulfil a contract** with the individual, or the individual has asked the school to take specific steps before entering into a contract
- › The data needs to be processed so that the school can **comply with a legal obligation**
- › The data needs to be processed to ensure the **vital interests** of the individual or another person i.e. to protect someone's life
- › The data needs to be processed so that the school, as a public authority, can **perform a task in the public interest or exercise its official authority**
- › The data needs to be processed for the **legitimate interests** of the school (where the processing is not for any tasks the school performs as a public authority) or a third party, provided the individual's rights and freedoms are not overridden
- › The individual (or their parent/carer when appropriate in the case of a pupil) has freely given clear **consent**

For special categories of personal data, we will also meet 1 of the special category conditions for processing under data protection law:

- › The individual (or their parent/carer when appropriate in the case of a pupil) has given **explicit consent**
- › The data needs to be processed to perform or exercise obligations or rights in relation to **employment, social security or social protection law**
- › The data needs to be processed to ensure the **vital interests** of the individual or another person, where the individual is physically or legally incapable of giving consent
- › The data has already been made **manifestly public** by the individual
- › The data needs to be processed for the establishment, exercise or defence of **legal claims**
- › The data needs to be processed for reasons of **substantial public interest** as defined in legislation
- › The data needs to be processed for **health or social care purposes**, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- › The data needs to be processed for **public health reasons**, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- › The data needs to be processed for **archiving purposes**, scientific or historical research purposes, or statistical purposes, and the processing is in the public interest

For criminal offence data, we will meet both a lawful basis and a condition set out under data protection law. Conditions include:

- › The individual (or their parent/carer when appropriate in the case of a pupil) has given **consent**
- › The data needs to be processed to ensure the **vital interests** of the individual or another person, where the individual is physically or legally incapable of giving consent
- › The data has already been made **manifestly public** by the individual
- › The data needs to be processed for or in connection with legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of **legal rights**

- › The data needs to be processed for reasons of **substantial public interest** as defined in legislation

Whenever we first collect personal data directly from individuals, we will provide them with the relevant information required by data protection law.

We will always consider the fairness of our data processing. We will ensure we do not handle personal data in ways that individuals would not reasonably expect, or use personal data in ways which have unjustified adverse effects on them.

7.2 Limitation, minimisation and accuracy

We will only collect personal data for specified, explicit and legitimate reasons. We will explain these reasons to the individuals when we first collect their data.

If we want to use personal data for reasons other than those given when we first obtained it, we will inform the individuals concerned before we do so, and seek consent where necessary.

Staff must only process personal data where it is necessary in order to do their jobs.

We will keep data accurate and, where necessary, up to date. Inaccurate data will be rectified or erased when appropriate.

In addition, when staff no longer need the personal data they hold, they must ensure it is deleted or anonymised. This will be done in accordance with the school's record retention schedule.

8. Sharing personal data

We will not normally share personal data with anyone else without consent, but there are certain circumstances where we may be required to do so. These include, but are not limited to, situations where:

- › There is an issue with a pupil or parent/carer that puts the safety of our staff at risk
- › We need to liaise with other agencies – we will seek consent as necessary before doing this
- › Our suppliers or contractors need data to enable us to provide services to our staff and pupils – for example, IT companies. When doing this, we will:
 - Only appoint suppliers or contractors that can provide sufficient guarantees that they comply with UK data protection law
 - Establish a contract with the supplier or contractor to ensure the fair and lawful processing of any personal data we share
 - Only share data that the supplier or contractor needs to carry out their service

We will also share personal data with law enforcement and government bodies where we are legally required to do so.

We may also share personal data with emergency services and local authorities to help them to respond to an emergency situation that affects any of our pupils or staff.

Where we transfer personal data internationally, we will do so in accordance with UK data protection law.

9. Subject access requests and other rights of individuals

9.1 Subject access requests

Individuals have a right to make a 'subject access request' to gain access to personal information that the school holds about them. This includes:

- › Confirmation that their personal data is being processed
- › Access to a copy of the data
- › The purposes of the data processing
- › The categories of personal data concerned

- › Who the data has been, or will be, shared with
- › How long the data will be stored for, or if this isn't possible, the criteria used to determine this period
- › Where relevant, the existence of the right to request rectification, erasure or restriction, or to object to such processing
- › The right to lodge a complaint with the ICO or another supervisory authority
- › The source of the data, if not the individual
- › Whether any automated decision-making is being applied to their data, and what the significance and consequences of this might be for the individual
- › The safeguards provided if the data is being transferred internationally

Subject access requests can be submitted in any form, but we may be able to respond to requests more quickly if they are made in writing and include:

- › Name of individual
- › Correspondence address
- › Contact number and email address
- › Details of the information requested

If staff receive a subject access request in any form they must immediately forward it to the Data Protection Lead.

9.2 Children and subject access requests

Personal data about a child belongs to that child, and not the child's parents or carers. For a parent or carer to make a subject access request with respect to their child, the child must either be unable to understand their rights and the implications of a subject access request, or have given their consent.

Children below the age of 12 are generally not regarded to be mature enough to understand their rights and the implications of a subject access request. Therefore, most subject access requests from parents or carers of pupils at our school may be granted without the express permission of the pupil. This is not a rule and a pupil's ability to understand their rights will always be judged on a case-by-case basis.

9.3 Responding to subject access requests

When responding to requests, we:

- › May ask the individual to provide 2 forms of identification
- › May contact the individual via phone to confirm the request was made
- › Will respond within 1 month of receipt of the request (or receipt of the additional information needed to confirm identity, where relevant)
- › Will provide the information free of charge
- › May tell the individual we will comply within 3 months of receipt of the request, where a request is complex or numerous. We will inform the individual of this within 1 month, and explain why the extension is necessary

We may not disclose information for a variety of reasons, such as if it:

- › Might cause serious harm to the physical or mental health of the pupil or another individual
- › Would reveal that the child is being or has been abused, or is at risk of abuse, where the disclosure of that information would not be in the child's best interests
- › Would include another person's personal data that we can't reasonably anonymise, and we don't have the other person's consent and it would be unreasonable to proceed without it
- › Is part of certain sensitive documents, such as those related to crime, immigration, legal proceedings or legal professional privilege, management forecasts, negotiations, confidential references, or exam scripts

If the request is unfounded or excessive, we may refuse to act on it, or charge a reasonable fee to cover administrative costs. We will take into account whether the request is repetitive in nature when making this decision.

When we refuse a request, we will tell the individual why, and tell them they have the right to complain to the ICO or they can seek to enforce their subject access right through the courts.

9.4 Other data protection rights of the individual

In addition to the right to make a subject access request (see above), and to receive information when we are collecting their data about how we use and process it (see section 7), individuals also have the right to:

- › Withdraw their consent to processing at any time
- › Ask us to rectify, erase or restrict processing of their personal data (in certain circumstances)
- › Prevent use of their personal data for direct marketing
- › Object to processing that has been justified on the basis of public interest, official authority or legitimate interests
- › Challenge decisions based solely on automated decision making or profiling (i.e. making decisions or evaluating certain things about an individual based on their personal data with no human involvement)
- › Be notified of a data breach (in certain circumstances)
- › Make a complaint to the ICO
- › Ask for their personal data to be transferred to a third party in a structured, commonly used and machine-readable format (in certain circumstances)

Individuals should submit any request to exercise these rights to the DPO. If staff receive such a request, they must immediately forward it to the DPO.

10. Parental requests to see the educational record

Parents, or those with parental responsibility, have a legal right to free access to their child's educational record (which includes most information about a pupil) within 15 school days of receipt of a written request.

If the request is for a copy of the educational record, the school may charge a fee to cover the cost of supplying it.

This right applies as long as the pupil concerned is aged under 18.

There are certain circumstances in which this right can be denied, such as if releasing the information might cause serious harm to the physical or mental health of the pupil or another individual, or if it would mean releasing exam marks before they are officially announced.

11. Biometric recognition systems

The school does not currently use any biometric recognition systems. If we plan to use pupils' biometric data as part of an automated biometric recognition system (for example, pupils use finger prints to receive school dinners) we will comply with the requirements of the [Protection of Freedoms Act 2012](#).

Parents/carers will be notified before any biometric recognition system is put in place or before their child first takes part in it. The school will obtain consent from at least 1 parent or carer before we take any biometric data from their child and first process it.

Parents/carers and pupils have the right to choose not to use the school's biometric system(s). We will provide alternative means of accessing the relevant services for those pupils.

Parents/carers and pupils can withdraw consent, at any time, and we will make sure that any relevant data already captured is deleted.

As required by law, if a pupil refuses to participate in, or continue to participate in, the processing of their biometric data, we will not process that data irrespective of any consent given by the pupil's parent(s)/carer(s).

Where staff members or other adults use the school's biometric system(s), we will also obtain their consent before they first take part in it, and provide alternative means of accessing the relevant service if they object. Staff and other adults can also withdraw consent at any time, and the school will delete any relevant data already captured.

12. CCTV

We use CCTV in various locations around the exterior of the school site to ensure it remains safe. We will follow the [ICO's guidance](#) for the use of CCTV, and comply with data protection principles.

We do not need to ask individuals' permission to use CCTV, but we make it clear where individuals are being recorded. Security cameras are clearly visible and accompanied by prominent signs explaining that CCTV is in use.

Any enquiries about the CCTV system should be directed to The Headteacher.

13. Photographs and videos

As part of our school activities, we may take photographs and record images of individuals within our school.

We will obtain consent from parents/carers for photographs and videos to be taken of their child for communication, marketing and promotional materials. We will clearly explain how the photograph and/or video will be used to both the parent/carer and the pupil.

Any photographs and videos taken by parents/carers at school events for their own personal use are not covered by data protection legislation. However, we will ask that photos or videos with other pupils are not shared publicly on social media for safeguarding reasons, unless all the relevant parents/carers have agreed to this.

Where the school takes photographs and videos, uses may include:

- Within school on notice boards and in school magazines, brochures, newsletters, in pupils books or class books etc.
- Outside of school by external agencies such as the school photographer, newspapers, campaigns, village magazine
- Online on our school website or social media pages or Class DoJo

Consent can be refused or withdrawn at any time. If consent is withdrawn, we will delete the photograph or video and not distribute it further.

When using photographs and videos in this way we will not accompany them with any other personal information about the child, to ensure they cannot be identified.

14. Artificial intelligence (AI)

Artificial intelligence (AI) tools are now widespread and easy to access. Staff, pupils and parents/carers may be familiar with generative chatbots such as ChatGPT and Google Bard. Watlington CP School recognises that AI has many uses to help pupils learn, but also poses risks to sensitive and personal data.

To ensure that personal and sensitive data remains secure, no one will be permitted to enter such data into unauthorised generative AI tools or chatbots.

If personal and/or sensitive data is entered into an unauthorised generative AI tool, Watlington CP School will treat this as a data breach, and will follow the personal data breach procedure outlined in appendix 1.

15. Data protection by design and default

We will put measures in place to show that we have integrated data protection into all of our data processing activities, including:

- Appointing a suitably qualified DPO, and ensuring they have the necessary resources to fulfil their duties and maintain their expert knowledge

- › Only processing personal data that is necessary for each specific purpose of processing, and always in line with the data protection principles set out in relevant data protection law (see section 6)
- › Completing data protection impact assessments where the school's processing of personal data presents a high risk to rights and freedoms of individuals, and when introducing new technologies (the DPO will advise on this process)
- › Integrating data protection into internal documents including this policy, any related policies and privacy notices
- › Regularly training members of staff on data protection law, this policy, any related policies and any other data protection matters; we will also keep a record of attendance
- › Regularly conducting reviews and audits to test our privacy measures and make sure we are compliant
- › Appropriate safeguards being put in place if we transfer any personal data outside of the UK, where different data protection laws may apply
- › Maintaining records of our processing activities, including:
 - For the benefit of data subjects, making available the name and contact details of our school and DPO, and all information we are required to share about how we use and process their personal data (via our privacy notices)
 - For all personal data that we hold, maintaining an internal record of the type of data, type of data subject, how and why we are using the data, any third-party recipients, any transfers outside of the UK and the safeguards for those, retention periods and how we are keeping the data secure

16. Data security and storage of records

We will protect personal data and keep it safe from unauthorised or unlawful access, alteration, processing or disclosure, and against accidental or unlawful loss, destruction or damage.

In particular:

- › Paper-based records and portable electronic devices, such as laptops and hard drives that contain personal data, are kept under lock and key when not in use
- › Papers containing confidential personal data must not be left on office and classroom desks, on staffroom tables, or left anywhere else where there is general access
- › Where personal information should not be taken off site, data is stored electronically and access via cloud based system if needed when off site
- › Passwords that are at least 10 characters long containing letters and numbers are used to access school computers, laptops and other electronic devices. Staff and pupils are reminded that they should not reuse passwords from other sites, Multi-Factor Authentication is used to access OneDrive and, Teams and email.
- › Encryption software is used to protect all portable devices and removable media, such as laptops and USB devices.
- › Staff, pupils or governors who store personal information on their personal devices are expected to follow the same security procedures as for school-owned equipment (see our online safety policy including acceptable use)
- › Where we need to share personal data with a third party, we carry out due diligence and take reasonable steps to ensure it is stored securely and adequately protected (see section 8)

17. Disposal of records

Personal data that is no longer needed will be disposed of securely. Personal data that has become inaccurate or out of date will also be disposed of securely, where we cannot or do not need to rectify or update it.

For example, we will shred or incinerate paper-based records, and overwrite or delete electronic files. We may also use a third party to safely dispose of records on the school's behalf. If we do so, we will require the third party to provide sufficient guarantees that it complies with data protection law.

18. Personal data breaches

The school will make all reasonable endeavours to ensure that there are no personal data breaches.

In the unlikely event of a suspected data breach, we will follow the procedure set out in appendix 1.

When appropriate, we will report the data breach to the ICO within 72 hours after becoming aware of it. Such breaches in a school context may include, but are not limited to:

- › A non-anonymised dataset being published on the school website, which shows the exam results of pupils eligible for the pupil premium
- › Safeguarding information being made available to an unauthorised person
- › The theft of a school laptop containing non-encrypted personal data about pupils

19. Training

All staff and governors are provided with data protection training as part of their induction process.

Data protection will also form part of continuing professional development, where changes to legislation, guidance or the school's processes make it necessary.

20. Monitoring arrangements

The Data Protection Lead is responsible for monitoring and reviewing this policy.

This policy will be reviewed annually and approved by the full governing board.

21. Links with other policies

This data protection policy is linked to our:

- › Freedom of information publication scheme
- › E-safety policy including acceptable use of ICT
- › Child Protection and Safeguarding policy
- › CCTV policy

Appendix 1: Personal data breach procedure

This procedure is based on [guidance on personal data breaches](#) produced by the Information Commissioner's Office (ICO).

- On finding or causing a breach or potential breach, the staff member, governor or data processor must immediately notify the data protection officer (DPO) by reporting this to the Headteacher as the Data Protection Lead.
- The DPO will investigate the report and determine whether a breach has occurred. To decide, the DPO will consider whether personal data has been accidentally or unlawfully:
 - Lost
 - Stolen
 - Destroyed
 - Altered
 - Disclosed or made available where it should not have been
 - Made available to unauthorised people
- Staff and governors will co-operate with the investigation (including allowing access to information and responding to questions). The investigation will not be treated as a disciplinary investigation
- If a breach has occurred or it is considered to be likely that is the case, the DPO will alert the headteacher and the chair of governors
- The DPO will make all reasonable efforts to contain and minimise the impact of the breach. Relevant staff members or data processors should help the DPO with this where necessary, and the DPO should take external advice when required (e.g. from IT providers). (See the actions relevant to specific data types at the end of this procedure)
- The DPO will assess the potential consequences (based on how serious they are and how likely they are to happen) before and after the implementation of steps to mitigate the consequences
- The DPO will work out whether the breach must be reported to the ICO and the individuals affected using the ICO's [self-assessment tool](#)
- The DPO will document the decisions (either way), in case the decisions are challenged at a later date by the ICO or an individual affected by the breach. Documented decisions are returned to the Data Protection Lead via email and the email saved on TEAMS.
- Where the ICO must be notified, the DPO will do this via the ['report a breach' page](#) of the ICO website, or through its breach report line (0303 123 1113), within 72 hours of the school's awareness of the breach. As required, the DPO will set out:
 - A description of the nature of the personal data breach including, where possible:
 - The categories and approximate number of individuals concerned
 - The categories and approximate number of personal data records concerned
 - The name and contact details of the DPO
 - A description of the likely consequences of the personal data breach
 - A description of the measures that have been, or will be taken, to deal with the breach and mitigate any possible adverse effects on the individual(s) concerned
- If all the above details are not yet known, the DPO will report as much as they can within 72 hours of the school's awareness of the breach. The report will explain that there is a delay, the reasons why, and when the DPO expects to have further information. The DPO will submit the remaining information as soon as possible
- Where the school is required to communicate with individuals whose personal data has been breached, the DPO will tell them in writing. This notification will set out:
 - A description, in clear and plain language, of the nature of the personal data breach

- The name and contact details of the DPO
 - A description of the likely consequences of the personal data breach
 - A description of the measures that have been, or will be, taken to deal with the data breach and mitigate any possible adverse effects on the individual(s) concerned
- The DPO will consider, in light of the investigation and any engagement with affected individuals, whether to notify any relevant third parties who can help mitigate the loss to individuals – for example, the police, insurers, banks or credit card companies
- The DPO will document each breach, irrespective of whether it is reported to the ICO. For each breach, this record will include the:
- Facts and cause
 - Effects
 - Action taken to contain it and ensure it does not happen again (such as establishing more robust processes or providing further training for individuals)

Records of all breaches will be stored on TEAMS.

- The DPO and headteacher will meet to review what happened and how it can be stopped from happening again. This meeting will happen as soon as reasonably possible
- The DPO and headteacher will meet to assess recorded data breaches and identify any trends or patterns requiring action by the school to reduce risks of future breaches

Actions to minimise the impact of data breaches

We set out below the steps we might take to try and mitigate the impact of different types of data breach if they were to occur, focusing especially on breaches involving particularly risky or sensitive information. We will review the effectiveness of these actions and amend them as necessary after any data breach.

- If special category data (sensitive information) is accidentally made available via email to unauthorised individuals, the sender must attempt to recall the email as soon as they become aware of the error
- Members of staff who receive personal data sent in error must alert the sender and the DPO as soon as they become aware of the error
- If the sender is unavailable or cannot recall the email for any reason, the DPO will ask the ICT support department to attempt to recall it
- In any cases where the recall is unsuccessful, the DPO will consider whether to contact the relevant unauthorised individuals who received the email, explain that the information was sent in error, and request that those individuals delete the information and do not share, publish, save or replicate it in any way
- The DPO will endeavor to obtain a written response from all the individuals who received the data, confirming that they have complied with this request
- The DPO will carry out an internet search to check that the information has not been made public; if it has, we will contact the publisher/website owner or administrator to request that the information is removed from their website and deleted
- Details of pupil premium interventions for named children being published on the school website- these are anonymised before publication and checked at SLT meetings
- Non-anonymised pupil exam results or staff pay information being shared with governors - staffing pay decisions are anonymized before sharing with governors, SATS results are reported as a cohort and not as individuals. Minutes will be redacted of pupils names and governors asked to shred any paperwork.
- The school's cashless payment provider being hacked and parents' financial details stolen- this is cloud based and password protected, ParentPay have systems in place for this event.
- Hardcopy reports sent to the wrong pupil- this is checked by two staff before sending in post
- If safeguarding information is compromised the DPO will inform the DSL and discuss whether the school should inform any safeguarding partners

Part 2 : Data Protection – Employee HR Data Policy

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This model has been subject to consultation with the recognised trade unions at County level. Any school or academy looking to adopt, or adapt and adopt, as their own should consult recognised trade unions at local level.

1. Introduction

The General Data Protection Regulations enforced from 25 May 2018 strengthen data protection requirements across the EU. This policy focuses specifically on data protection from an HR employee data point of view.

Through the implementation of this policy, the Governing Board will be mindful of the employer obligation to seek to maintain and protect the mental health and wellbeing of all staff as far as is reasonably practicable.

2. Purpose

This school is committed to being transparent about how it collects and uses the personal data of its workforce, and to meeting its data protection obligations. This policy sets out the school's commitment to data protection, and individual rights and obligations in relation to personal data.

This policy applies to the personal data of job applicants, employees and former employees, referred to as HR-related personal data. [Part One of this policy does not apply to the personal data of clients or other personal data processed for business purposes.]

The school has appointed The Data Protection Education Team as the company with responsibility for data protection compliance within the school. They can be contacted

at kb@dataprotection.education. Questions about this policy, or requests for further information, should be directed to them.

3. Definitions

"Personal data" is any information that relates to a living individual who can be identified from that information. Processing is any use that is made of data, including collecting, storing, amending, disclosing or destroying it.

"Special categories of personal data" means information about an individual's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sex life or sexual orientation and biometric data.

"Criminal records data" means information about an individual's criminal convictions and offences, and information relating to criminal allegations and proceedings.

4. Data protection principles

The school processes HR-related personal data in accordance with the following data protection principles:

- The school processes personal data lawfully, fairly and in a transparent manner.
- The school collects personal data only for specified, explicit and legitimate purposes.
- The school processes personal data only where it is adequate, relevant and limited to what is necessary for the purposes of processing.
- The school keeps accurate personal data and takes all reasonable steps to ensure that inaccurate personal data is rectified or deleted without delay.
- The school keeps personal data only for the period necessary for processing.
- The school adopts appropriate measures to make sure that personal data is secure, and protected against unauthorised or unlawful processing, and accidental loss, destruction or damage.

The school tells individuals the reasons for processing their personal data, how it uses such data and the legal basis for processing in its privacy notices. It will not process personal data of individuals for other reasons. Where the school relies on its legitimate interests as the basis for processing data, it will carry out an assessment to ensure that those interests are not overridden by the rights and freedoms of individuals.

Where the school processes special categories of personal data or criminal records data to perform obligations or to exercise rights in employment law, this is done in accordance with data protection legal requirements.

The school will update HR-related personal data promptly if an individual advises that their information has changed or is inaccurate.

Personal data gathered during the employment relationship, is held in the individual's personnel file (in hard copy or electronic format, or both), on HR systems and with **EducationHR**. The periods for which the school holds HR-related personal data are contained in its privacy notices to individuals (see Part 2).

The school keeps a record of its processing activities in respect of HR-related personal data in accordance with the requirements of the General Data Protection Regulation (GDPR).

5. Individual rights

As a data subject, individuals have a number of rights in relation to their personal data.

5.1 Subject access requests

Individuals have the right to make a subject access request (verbal or written). If an individual makes a subject access request, the school will tell them:

- whether or not their data is processed and if so why, the categories of personal data concerned and the source of the data if it is not collected from the individual;
- to whom their data is or may be disclosed, including to recipients located outside the European Economic Area (EEA) and the safeguards that apply to such transfers;
- for how long their personal data is stored (or how that period is decided);
- their rights to rectification or erasure of data, or to restrict or object to processing;
- their right to complain to the Information Commissioner if they think the school has failed to comply with their data protection rights; and
- whether or not the school carries out automated decision-making and the logic involved in any such decision-making.

The school will also provide the individual with a copy of the personal data undergoing processing. This will normally be in electronic form if the individual has made a request electronically, unless they agree otherwise.

If the individual wants additional copies, the school will charge a fee, which will be based on the administrative cost to the school of providing the additional copies.

To make a subject access request, the individual should send the request to office@watlington.norfolk.sch.uk. In some cases, the school may need to ask for proof of identification before the request can be processed. The school will inform the individual if it needs to verify their identity and the documents it requires.

The school will normally respond to a request within a period of one month from the date it is received. In some cases, such as where the school processes large amounts of the individual's data, it may respond within three months of the date the request is received. The school will write to the individual within one month of receiving the original request to tell them if this is the case.

If a subject access request is manifestly unfounded or excessive, the school is not obliged to comply with it. Alternatively, the school can agree to respond but will charge a fee, which will be based on the administrative cost of responding to the request. A subject access request is likely to be manifestly unfounded or excessive where it repeats a request to which the school has already responded. If an individual submits a request that is unfounded or excessive, the school will notify them that this is the case and whether or not it will respond to it.

5.2 Other rights

Individuals have a number of other rights in relation to their personal data. They can require the school to:

- rectify inaccurate data;
- stop processing or erase data that is no longer necessary for the purposes of processing;
- stop processing or erase data if the individual's interests override the school's legitimate grounds for processing data (where the school relies on its legitimate interests as a reason for processing data);

- stop processing or erase data if processing is unlawful; and
- stop processing data for a period if data is inaccurate or if there is a dispute about whether or not the individual's interests override the school's legitimate grounds for processing data.

To ask the school to take any of these steps, the individual should send the request to office@watlington.norfolk.sch.uk.

6. Data security

The school takes the security of HR-related personal data seriously. The school has internal policies and controls in place to protect personal data against loss, accidental destruction, misuse or disclosure, and to ensure that data is not accessed, except by employees in the proper performance of their duties. HR-related personal data is kept securely stored in staff personal files as paper copies, data replicated from these files may be entered on the school MIS and the school's single central record.

Where the school engages third parties to process employee personal data on its behalf (e.g. third party HR provider, Occupational Health), such parties do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data. Further information regarding what is processed can be viewed in the school's privacy notice.

7. Impact assessments

Some of the processing that the school carries out may result in risks to privacy. Where processing would result in a high risk to individual's rights and freedoms, the school will carry out a data protection impact assessment to determine the necessity and proportionality of processing. This will include considering the purposes for which the activity is carried out, the risks for individuals and the measures that can be put in place to mitigate those risks.

8. Data breaches

If the school discovers that there has been a breach of HR-related personal data that poses a risk to the rights and freedoms of individuals, it will report it to the Information Commissioner within 72 hours of discovery (NB. The 72 hours includes weekends and holidays). The school will record all data breaches regardless of their effect.

If the breach is likely to result in a high risk to the rights and freedoms of individuals, it will tell affected individuals that there has been a breach and provide them with information about its likely consequences and the mitigation measures it has taken. If an employee uncovers a data breach, they must report it to the Headteacher immediately.

9. International data transfers

The school will not transfer HR-related personal data to countries outside the EEA.

10. Individual responsibilities

Individuals are responsible for helping the school keep their personal data up to date. Individuals should let the school know if data provided to the school changes, for example if an individual moves house or changes their bank details.

Individuals may have access to the personal data of other individuals in the course of their employment. Where this is the case, the school relies on individuals to help meet its data protection obligations to staff, pupils, parents and suppliers.

Individuals who have access to personal data are required:

- to access only data that they have authority to access and only for authorised purposes;
- not to disclose data except to individuals (whether inside or outside the school) who have appropriate authorisation;
- to keep data secure (for example by complying with rules on access to premises, computer access, including password protection, and secure file storage and destruction);
- not to remove personal data, or devices containing or that can be used to access personal data, from the school's premises without adopting appropriate security measures (such as encryption or password protection) to secure the data and the device;
- not to store personal data on local drives or on personal devices that are used for work purposes; and
- to report data breaches of which they become aware to Headteacher immediately.

Failing to observe these requirements may amount to a disciplinary offence, which will be dealt with under the school's disciplinary procedure. Significant or deliberate breaches of this policy, such as accessing employee or customer data without authorisation or a legitimate reason to do so, may constitute gross misconduct and could lead to dismissal without notice.

11. Training

The school will provide training to all individuals about their data protection responsibilities as part of the induction process and at regular intervals thereafter.

Individuals whose roles require regular access to personal data, or who are responsible for implementing this policy or responding to subject access requests under this policy, will receive additional training to help them understand their duties and how to comply with them.

Appendix 2a – Table of changes

Date of change	Paragraphs affected	Summary of update
16/11/2021	1	Additional paragraph to include consideration for employees with mental health issues.
17/07/2018	4.1	Updated to make it clear that subject access requests can be verbal or written.
12/04/2018	All	New model policy uploaded to HR InfoSpace

Part 3: Data Protection – Privacy Notices

Privacy Notice (How we use pupil and parent information)

Watlington CP School is committed to protecting the privacy and security of personal information. This privacy notice describes how we collect and use personal information about pupils, in accordance with the General Data Protection Regulation (UK GDPR), section 537A of the Education Act 1996 and section 83 of the Children Act 1989.

This privacy notice describes how we collect and use personal information about pupils, in accordance with the UK General Data Protection Regulation (UK GDPR), section 537A of the Education Act 1996 and section 83 of the Children Act 1989.

Following Brexit, Regulation (EU) 2016/679, General Data Protection Regulation (GDPR) is retained EU law and known as UK GDPR. The UK GDPR sits alongside an amended version of the Data Protection Act 2018 that relate to general personal data processing, powers of the Information Commissioner and sanctions and enforcement. The GDPR as it continues to apply in the EU is known as EU GDPR

The categories of pupil information that we process include:

- personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- characteristics (such as ethnicity, religion, language, and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended, destination schools attendance at afterschool tuition or clubs)
- assessment and attainment (such as key stage 1/2 and phonics results, MTC results, reading age)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- consents for photography and images
- websites pupils have attempted to view, pupils' email and passwords for educational apps or websites

Why we collect and use pupil information

We collect and use pupil information, for the following purposes:

- a) to support pupil learning
- b) to monitor and report on pupil attainment progress
- c) to provide appropriate pastoral care
- d) to assess the quality of our services
- e) to keep children safe (food allergies, or emergency contact details)
- f) to meet the statutory duties placed upon us for the Department for Education (DfE) data collections

Under the [UK General Data Protection Regulation \(UK GDPR\)](#), the lawful bases we rely on for processing pupil information are:

- for the purpose to support pupil learning in accordance with the legal basis of **(c) Legal obligation**: the processing is necessary for you to comply with the law (not including contractual obligations).
- for the purpose to monitor and report on pupil attainment and progress in accordance with the legal basis of **(c) Legal obligation**: the processing is necessary for you to comply with the law (not including contractual obligations).
- for the purpose to provide appropriate pastoral care in accordance with the legal basis of **(c) Legal obligation**: the processing is necessary for you to comply with the law (not including contractual obligations) and
- for the purpose to assess the quality of our service in accordance with the legal basis of **(a) Consent**: the individual has given clear consent for you to process their personal data for a specific purpose.

- for the purpose to keep children safe in accordance with the legal basis of **(d) Vital interests**: the processing is necessary to protect someone's life and **(c) Legal obligation**: the processing is necessary for you to comply with the law (not including contractual obligations).
- for the purpose to meet the statutory duties placed upon us for the Department for Education (DfE) data collections in accordance with the legal basis of **(e) Public task**: the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law and **(c) Legal obligation**: the processing is necessary for you to comply with the law (not including contractual obligations).

In addition, concerning any special category data:

- conditions (a) Explicit consent, (e) Made public by the data subject, of [UK GDPR - Article 9](#)

Collecting pupil information

We collect pupil information via registration forms, files sent from previous settings (CTF), verbally provided information or online forms, via parent portal apps .

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, 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 securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please request a copy of this from the school office.

Data is stored on cloud-based systems, which are password protected and/or use multi-factor authentication. A data retention schedule is provided by the Data Protection Officer, listed in this Data Protection Policy.

Who we share pupil information with

We routinely share pupil information with:

- schools that the pupils attend after leaving
- our local authority
- the Department for Education (DfE)
- NHS
- LADO/CADS
- Bikeability
- Law enforcement officials
- Other third-party apps used by the school e.g. ParentPay, My Concern
- Cafcass
- Ofsted
- Providers of learning software
- Residential Trip / School Trip providers

Why we regularly 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 pupil information with the above listed institutions or service providers for the same purposes as the data is collected. Data is shared via CTF files or encrypted email.

Department for Education (DfE)

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections, under Section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by the Department for Education (DfE) under a combination of software and hardware controls, which meet the current [government security policy framework](#).

For more information, please see 'How Government uses your data' section.

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, contact the school office to make this request.

You also have the right to:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

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

For further information on how to request access to personal information held centrally by the Department for Education (DfE), please see the 'How Government uses your data' section of this notice.

Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting the Headteacher.

Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated in May 2024.

Contact

If you would like to discuss anything in this privacy notice, please contact: the Headteacher via the school office.

How Government uses your data

The pupil data that we lawfully share with the Department for Education (DfE) through data collections:

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

Data collection requirements

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

The National Pupil Database (NPD)

Much of the data about pupils in England goes on to be held in the National Pupil Database (NPD).

The NPD is owned and managed by the Department for Education (DfE) 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 for Education (DfE).

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.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-npd-privacy-notice/national-pupil-database-npd-privacy-notice>

Sharing by the Department for Education (DfE)

The law allows the Department for Education (DfE) to share pupils' personal data with certain third parties, including:

- schools and local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the Department for Education's (DfE) NPD data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Organisations fighting or identifying crime may use their legal powers to contact the Department for Education (DfE) to request access to individual level information relevant to detecting that crime.

For information about which organisations the Department for Education (DfE) has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website: <https://www.gov.uk/government/publications/dfe-external-data-shares>

How to find out what personal information the Department for Education (DfE) holds about you

Under the terms of the [Data Protection Act 2018](#), you are entitled to ask the Department for Education (DfE):

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact the Department for Education (DfE): <https://www.gov.uk/contact-dfe>

Privacy Notice (How we use workforce information)

The categories of school information that we process

These include:

- personal information (such as name, employee or teacher number, national insurance number)
- characteristics information (such as gender, age, ethnic group)
- contract information (such as start date, hours worked, post, roles and salary information, payroll and pension information)
- address and next of kin
- relevant medical information
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)
- data required to perform a DBS check

This list is not exhaustive.

Why we collect and use workforce information

[School / local authority to insert both the purposes and lawful bases for collecting and using workforce information]

We use workforce data to:

- a) enable the development of a comprehensive picture of the workforce and how it is deployed
- b) inform the development of recruitment and retention policies
- c) enable individuals to be paid
- d) make contact with next of kin/ inform emergency services in the event of an emergency
- e) ensure safe recruitment of staff that are suitable to work with children

Under the UK General Data Protection Regulation (UK GDPR), the legal basis / bases we rely on for processing personal information for general purposes are:

- for the purposes of enable the development of a comprehensive picture of the workforce and how it is deployed in accordance with the legal basis of **(c) Legal obligation**: the processing is necessary for you to comply with the law (not including contractual obligations).
- for the purposes of inform the development of recruitment and retention policies in accordance with the legal basis **(e) Public task**: the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.
- for the purposes of enable individuals to be paid in accordance with the legal basis of **(b) Contract**: the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.
- for the purpose of make contact with next of kin/ inform emergency services in the event of an emergency **(d) Vital interests**: the processing is necessary to protect someone's life.
- for the purpose of ensure safe recruitment of staff that are suitable to work with children in accordance with the legal basis of **(c) Legal obligation**: the processing is necessary for you to comply with the law (not including contractual obligations).

In addition, concerning any special category data:

- conditions a) explicit consent, c) vital interests, (e) Made public by the data subject, of [UK GDPR - Article 9](#)

Collecting workforce information

We collect personal information via application forms, DBS checks, new starter employment forms.

Workforce data is essential for the school's / local authority's operational use. Whilst the majority of personal information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with UK GDPR, we will inform you at the point of collection, whether you are required to provide certain information to us or if you have a choice in this.

Storing workforce information

We hold data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please see the data retention schedule.

Data about staff is held on the school's MIS, in staff personnel files and on the single central record. Staff personnel files are locked securely in the Head's office, the MIS is password protected. Only relevant staff are able to access sections of the MIS and SCR as is specified by their job role.

Who we share workforce information with

We routinely share this information with:

- our local authority (where applicable)
- the Department for Education (DfE)

Why we share school workforce information

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

[School / local authority to explain why they share workforce data and insert any relevant legislation for sharing it with those named in 'Who we share this information with' section. It is also useful to state how the data is transferred and link to any data retention policies where available]

Local authority

We are required to share information about our workforce members with our local authority (LA) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

Department for Education (DfE)

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our children and young people with the Department for Education (DfE) for the purpose of those data collections, under:

We are required to share information about our school employees with the Department for Education (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

All data is transferred securely and held by the Department for Education (DfE) under a combination of software and hardware controls which meet the current [government security policy framework](#).

For more information, please see 'How Government uses your data' section.

Requesting access to your personal data

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

You also have the right to:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete

- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

If you have a concern about the way we are collecting or using your personal data, we ask 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/>

For further information on how to request access to personal information held centrally by the Department for Education (DfE), please see the 'How Government uses your data' section of this notice.

Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting the Headteacher.

Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated on May 2024.

Contact

If you would like to discuss anything in this privacy notice, please contact: the Headteacher.

How Government uses your data

The workforce data that we lawfully share with the Department for Education (DfE) through data collections:

- informs the Department for Education (DfE) policy on pay and the monitoring of the effectiveness and diversity of the school workforce
- links to school funding and expenditure
- supports 'longer term' research and monitoring of educational policy

Data collection requirements

To find out more about the data collection requirements placed on us by the Department for Education (DfE) including the data that we share with them, go to

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

Sharing by the Department for Education (DfE)

The Department for Education (DfE) may share information about school employees with third parties who promote the education or well-being of children or the effective deployment of school staff in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department for Education (DfE) has robust processes in place to ensure that the confidentiality of personal data is maintained and there are stringent controls in place regarding access to it and its use. Decisions on whether the Department for Education (DfE) releases personal 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 securely store and handle the data

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

How to find out what personal information the Department for Education (DfE) hold about you

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department for Education (DfE):

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact the Department for Education (DfE): <https://www.gov.uk/contact-dfe>

Privacy notice (how we use personal information on Get Information about Schools (GIAS))

The categories of governance information that we process include:

- personal identifiers, contacts and characteristics (such as name, date of birth, contact details and postcode)
- governance details (such as role, start and end dates and governor id)
- characteristics information (such as gender, age, ethnic group)

Why we collect and use governance information

The personal data collected is essential, in order for the school, academy or academy trust to fulfil their official functions and meet legal requirements.

We collect and use governance information, for the following purposes:

- a. to meet the statutory duties placed upon us
- b. to analyse the diversity of the governing board

Under the [UK General Data Protection Regulation \(GDPR\) 2018](#), the legal bases we rely on for processing personal information for general purposes are:

- for the purpose a) to meet the statutory duties placed upon us named above in accordance with the legal basis of legal obligation

All local authority maintained school governing bodies, under [section 538 of the Education Act 1996](#) and academy trusts, under the [Academies Financial Handbook academy trust handbook](#) have a legal duty to provide the governance information as detailed above.

In addition, concerning any special category data:

- conditions (e) Made public by the data subject of [UK GDPR - Article 9](#)

Collecting governance information

We collect personal information via application forms and electronic forms.

Governance roles data is essential for the school, academy or academy trust's operational use. Whilst the majority of personal information you provide to us is mandatory, some of it may be requested on a voluntary basis. In order to comply with UK-GDPR, we will inform you at the point of collection, whether you are required to provide certain information to us or if you have a choice in this.

Storing governance information

We hold data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please see the Data retention schedule. Data about governors is stored on a spreadsheet on TEAMS, this is only accessible to staff where relevant to their job role. Teams is password protected with multi-factor authentication.

Who we share governance information with

We routinely share this information with:

- our local authority (where applicable)
- the Department for Education (DfE)
- publicly on our school website and GIAS

Why we share governance information

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

Department for Education (DfE)

The Department for Education (DfE) collects personal data from educational providers and local authorities. We are required to share information about individuals in governance roles with the Department for Education (DfE), under:

We are required to share information about our governance roles with the Department for Education (DfE) under [section 538 of the Education Act 1996](#)

All data is entered manually on the GIAS service and held by the Department for Education (DfE) under a combination of software and hardware controls which meet the current [government security policy framework](#).

For more information, please see the '[How Government uses your data](#)' section.

Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact the Headteacher.

You also have the right to:

- ask us for access to information about you that we hold
- have your personal data rectified if it is inaccurate or incomplete
- request the deletion or removal of personal data where there is no compelling reason for its continued processing
- restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

If you have a concern or complaint about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office (ICO) at [Information Commissioner's Office](#).

For further information on how to request access to personal information held centrally by the Department for Education (DfE), please see the [How Government uses your data](#)" section of this notice.

Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting the Headteacher.

Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated on May 2024.

Contact

If you would like to discuss anything in this privacy notice, please contact: the Headteacher

How government uses your data

The governance data that we lawfully share with the Department for Education (DfE) via GIAS will:

- increase the transparency of governance arrangements
- enable local authority maintained schools, academies, academy trusts and the Department for Education (DfE) to identify more quickly and accurately individuals who are involved in governance and who govern in more than one context

- allow the Department for Education (DfE) to be able to uniquely identify an individual and in a small number of cases conduct checks to confirm their suitability for this important and influential role

Data collection requirements

To find out more about the requirements placed on us by the Department for Education (DfE) including the data that we share with them, go to <https://www.gov.uk/government/news/national-database-of-governors>

Some of these personal data items are not publicly available and are encrypted within the GIAS system. Access is restricted to authorised Department for Education (DfE) and education establishment users with a Department for Education (DfE) Sign-in (DSI) account who need to see it in order to fulfil their official duties. The information is for internal purposes only and not shared beyond the Department for Education (DfE) unless the law allows it.

How to find out what personal information the Department for Education (DfE) hold about you

Under the terms of the [Data Protection Act 2018](#), you're entitled to ask the Department for Education (DfE):

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department for Education (DfE), you should make a subject access request (SAR). Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

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

References:

Part One Data Protection Policy – adapted from The Key

Part Two: Employee Data Protection – adapted from HR Info Space Norfolk County Council Model Policy

Part Three: Privacy Notices – model privacy documents from DfE