

Bosmere Junior School
South Street
Havant



Data Protection Policy

Date:	April 2018
Review Date:	April 2020
Responsibility:	Headteacher
STATUTORY	Yes
Checked against Equality Policy	✓

Chair of Governors:	Date:
Headteacher:	Date:

Bosmere Junior School ***Data Protection Policy***

Bosmere Junior School (“*the school*”) collects and uses personal information (referred to in the General Data Protection Regulation (GDPR) as personal data) about staff, pupils, parents and other individuals who come into contact with the school. This information is gathered in order to enable the provision of education and other associated functions. In addition, the school may be required by law to collect, use and share certain information.

The school is the Data Controller of the personal data that it collects and receives for these purposes.

The school has a Data Protection Officer, Alison Reilly, who may be contacted at a.reilly@bosmere.hants.sch.uk.

The school issues Privacy Notices (also known as a Fair Processing Notices) to all pupils/parents and staff. These summarise the personal information held about pupils and staff, the purpose for which it is held and who it may be shared with. It also provides information about an individual’s rights in respect of their personal data.

Purpose

This policy sets out how the school deals with personal information correctly and securely and in accordance with the GDPR, and other related legislation.

This policy applies to all personal information however it is collected, used, recorded and stored by the school and whether it is held on paper or electronically.

What is Personal Information/ data?

Personal information or data means any information relating to an identified or identifiable individual. An identifiable individual is one who can be identified, directly or indirectly by reference to details such as a name, an identification number, location data, an online identifier or by their physical, physiological, genetic, mental, economic, cultural or social identity. Personal data includes (but is not limited to) an individual’s, name, address, date of birth, photograph, bank details and other information that identifies them.

Data Protection Principles

The GDPR establishes six principles as well as a number of additional duties that must be adhered to at all times:

1. Personal data shall be processed lawfully, fairly and in a transparent manner;
2. Personal data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes (subject to exceptions for specific archiving purposes);
3. Personal data shall be adequate, relevant and limited to what is necessary to the purposes for which they are processed and not excessive;
4. Personal data shall be accurate and where necessary, kept up to date;
5. Personal data shall be kept in a form that permits the identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed;
6. Personal data shall be processed in a manner that ensures appropriate security of the personal.

Duties

Personal data shall not be transferred to a country or territory outside the European Economic Area, unless that country or territory ensures an adequate level of data protection.

Data Controllers have a General Duty of accountability for personal data.

Commitment

The school is committed to maintaining the above principles at all times. Therefore the school will:

- Inform individuals why personal information is being collected
- Inform individuals of the contact details of the Data Protection Officer
- Inform individuals of the purposes that personal information is being collected and the basis for this
- Inform individuals when their information is shared, and why and with whom unless the GDPR provides a reason not to do this
- If the school plans to transfer personal data outside the EEA the school will inform individuals and provide them with details of where they can obtain details of the safeguards for that information
- Inform individuals of their data subject rights
- Inform individuals that the individual may withdraw consent (where relevant) and that if consent is withdrawn that the school will cease processing their data although that will not affect the legality of data processed up until that point.
- Provide details of the length of time an individual's personal data will be kept
- Should the school decide to use an individual's personal data for a different reason to that for which it was originally collected the school shall inform the individual and where necessary seek advice
- Check the accuracy of the information it holds and review it at regular intervals
- Ensure that only authorised personnel have access to the personal information whatever medium (paper or electronic) it is stored in
- Ensure that clear and robust safeguards are in place to ensure personal information is kept securely and to protect personal information from loss, theft and unauthorised disclosure, irrespective of the format in which it is recorded
- Ensure that personal information is not retained longer than it is needed.
- Ensure that when information is destroyed that it is done so appropriately and securely.
- Share personal information with others only when it is legally appropriate to do so.
- Comply with the duty to respond to requests for access to personal information (known as Subject Access Requests)
- Ensure that personal information is not transferred outside the EEA without the appropriate safeguards
- Ensure that all staff and governors are aware of and understand these policies and procedures.

Complaints

Complaints will be dealt with in accordance with the school's complaints policy. Complaints relating to the handling of personal information may be referred to the Information Commissioner who can be contacted at Wycliffe House, Water Lane Wilmslow Cheshire SK9 5AF or at www.ico.gov.uk.

Review

This policy will be reviewed as it is deemed appropriate, but no less frequently than every 3 years. The policy review will be undertaken by the Headteacher, or nominated representative. Relevant information is also contained in a poster which is displayed in the staff room as Appendix 1.



General Data Protection Regulation (GDPR)

As employees at Bosmere Junior School we must comply with the new GDPR legislation.
We all process personal data!

Personal data must be:

- **Processed lawfully** – Contractual, legal obligation, protecting vital interests, in the public interest, consent or legitimate interest. Remember consent must be explicitly given and you must keep evidence of consent given! You can no longer assume consent! If you are unsure ask your Data Protection Officer, Alison Reilly.
- **For a specific purpose** – You must have a clear reason for processing the data. If you do not then do not process it!
- **Kept to a minimum** – Do not collect data you do not need for the specific purpose. Use anonymisation where possible.

In particular, try and limit the collection of sensitive personal data as much as possible. This includes race, political views, religious beliefs, trade union, physical or mental health conditions, sexual preference or criminal convictions. If you do collect this sensitive personal data you need to ensure that it is completely secure, kept to an absolute minimum, handled with care and confidentiality and securely deleted once there is no use of it anymore.

- **Accurate and up-to-date** – If personal data needs updating you must make this a priority. Ensure you pay very close attention when processing personal data. If you have made a mistake ensure this is rectified without delay!
- **Retained only for as long as it is needed** – If you are keeping hold of personal data you must have a reason why and know how long you are keeping it for. As a general rule of thumb if you no longer need the data then do not keep it, however, **you must keep records of consent given so it can be used if anything is questioned**. If you are unsure ask your Data Protection Officer, Alison Reilly.
- **Kept securely** – Is it secure? As processors we need to ensure that we protect against unauthorised or unlawful processing or accidental loss, destruction or damage to personal data. If it is printed is it kept in a locked office/drawer? Make sure you lock your computer when you are not at it at all times and lock your office doors where possible! If it is electronic format, remember, you **cannot** use personal memory sticks or hard drives to hold any personal data! Please see the Data Protection Officer, Alison Reilly if you have any questions on methods to keep your information secure.

Remember if a person can be identified from the data it counts as personal data. The new definition of consent is far broader meaning it extends to personal IP addresses, physical descriptions, finger prints etc.!

Desk policy:

To ensure that personal data is kept secure within school all staff must follow this desk policy

- Do not leave papers containing personal data out on your desk when you are not there. Ensure they are out of sight and not accessible by visitors or children by locking them in drawers when you leave.
- You must lock your computer/laptop when leaving your desk even for a short period of time.
- Do not leave papers containing personal data on the printer or photocopier unattended.
- Do not allow children to be in view of your computer screen/documents that contain personal data.

What to do if there has been a data breach

- If you realise that there has been a loss or misuse of personal data you must report it to the Data Protection Officer, Alison Reilly as soon as possible. Never try to hide it and ensure you provide all the facts.
- It is now a legal requirement to report data breaches to the ICO.
- The penalties which would be faced by Bosmere Junior School if there is a serious data breach are monumental, so please ensure that you understand the data protection policy and comply with it or ask if you are unsure.