PARTNERSHIP LEARNING
RIVERSIDE PRIMARY SCHOOL
Excellence for All

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Data Protection Policy

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1. General Statement

The Governing Body of the School has overall responsibility for ensuring that records are maintained, including security and access arrangements, in accordance with Education Regulations and all other statutory provisions.

The Headteacher, and Governors of this School intent to comply fully with the requirements and principles of the Data Protection Act 1984 and the Data Protection Act 1988. All staff involved with the collection, processing and disclosure of personal data are aware of their duties and responsibilities within these guidelines.

2. Fair Obtaining and Processing

Riverside Primary School undertakes to obtain and process data fairly and lawfully by informing all data subjects of the reasons for data collection, the purposes for which the data are held, the likely recipients of the data and the data subjects' right of access. Information about the use of personal data is printed on the appropriate collection form. If details are given verbally, the person collecting will explain the issues before obtaining the information.

"Processing" means obtaining, recording or holding the information or data or carrying out any or set of operations on the information or data.

"Data subject" means an individual who is the subject of personal data or the person to whom the information relates.

"Personal data" means data, which relates to a living individual who can be identified. Addresses and telephone numbers are particularly vulnerable to abuse, but so can names and photographs be, if published in the press, Internet or media.

"Parent" has the meaning given in the Education act 1996, and includes any person having parental responsibility or care of a child.

3. Registered Purposes

The Data Protection Registration entries for the School are available for inspection, by appointment, at the school office. Explanation of any codes and categories entered is available from the Business Manager at the school, who is the person nominated to deal with Data protection issues in the School. Registered purposes covering the data held at the school are listed on the school's Registration and

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data collection documents. Information held for these stated purposes will not be used for any other purpose without the data subject's consent.

4. **Data Integrity**

The School undertakes to ensure data integrity by the following methods:

5. **Data Accuracy**

Data held will be as accurate and up to date as is reasonably possible. If a data subject informs the School of a change of circumstances their computer record will be updated as soon as is practicable. A printout of their data record will be provided to data subjects every twelve months so they can check its accuracy and make any amendments.

Where a data subject challenges the accuracy of their data, the School will immediately mark the record as potentially inaccurate, or 'challenged'. In the case of any dispute, we shall try to resolve the issue informally, but if this proves impossible, disputes will be referred to the Governing Body for their judgment. If the problem cannot be resolved at this stage, either side may seek independent arbitration. Until resolved the 'challenged' marker will remain and all disclosures of the affected information will contain both versions of the information.

6. **Data Adequacy and Relevance**

Data held about people will be adequate, relevant and not excessive in relation to the purpose for which the data is being held. In order to ensure compliance with this principle, the School will check records regularly for missing, irrelevant or seemingly excessive information and may contact data subjects to verify certain items of data. (Details should be added on how and when records are checked for irrelevant data and who has the say on what must be deleted).

7. **Length of Time**

Data held about individuals will not be kept for longer than necessary for the purposes registered. It is the duty of the school's Business Manager to ensure that obsolete data are properly erased.

8. **Subject Access**

The Data Protection Acts extend to all data subjects a right of access to their own personal data. In order to ensure that people receive only information about themselves it is essential that a formal

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system of requests is in place. Where a request for subject access is received from a pupil, the school's policy is that:

Requests from pupils will be processed as any subject access request as outlined below and the copy will be given directly to the pupil, unless it is clear that the pupil does not understand the nature of the request. Requests from pupils who do not appear to understand the nature of the request will be referred to their parents or carers.

Requests from parents in respect of their own child will be processed as requests made on behalf of the data subject (the child) and the copy will be sent in a sealed envelope to the requesting parent.

9. Processing Subject Access Requests

Requests for access must be made in writing.

Pupils, parents or staff may ask for a Data Subject Access form, available from the School Office. Completed forms should be submitted to the Business Manager at the school. Provided that there is sufficient information to process the request, an entry will be made in the Subject Access log book, showing the date of receipt, the data subject's name, the name and address of requester (if different), the type of data required (eg Student Record, Personnel Record), and the planned date of supplying the information (normally not more than 40 days from the request date). Should more information be required to establish either the identity of the data subject (or agent) or the type of data requested, the date of entry in the log will be date on which sufficient information has been provided.

Note: In the case of any written request from a parent regarding their own child's record, access to the record will be provided within 15 school dates in accordance with the current Education (Pupil Information) Regulations.

10. Authorised Disclosures

The School will, in general, only disclose data about individuals with their consent. However there are circumstances under which the School's authorised officer may need to disclose data without explicit consent for that occasion.

These circumstances are strictly limited to:

Pupil data disclosed to authorised recipients related to education and administration necessary for the School to perform its statutory duties and obligations.

Pupil data disclosed to authorised recipients in respect of their child's health, safety and welfare.

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Pupil data disclosed to parents in respect of their child's progress, achievements, attendance, attitude or general demeanor within or in the vicinity of the school.

Staff data disclosed to relevant authorities e.g. in respect of payroll and administrative matters.

Unavoidable disclosures, for example to an engineer during maintenance of the computer system. In such circumstances the engineer would be required to sign a form promising not to disclose the data outside the school. Officers and IT personnel writing on behalf of the LEA are IT liaison/data processing officers, for example in the LEA, are contractually bound not to disclose personal data.

Only authorised and trained staff are allowed to make external disclosures of personal data. Data used within the school by administrative staff, teachers and welfare officers will only be made available where the person requesting the information is a professional legitimately working within the school who need to know the information in order to do their work. The school will not disclose anything on pupils' records which would be likely to cause serious harm to their physical or mental health or that of anyone else – including anything where suggests that they are, or have been, either the subject of or at risk of child abuse.

A "legal disclosure" is the release of personal information from the computer to someone who requires the information to do his or her job within or for the school, provided that the purpose of that information has been registered.

An "illegal disclosure" is the release of information to someone who does not need it, or has no right to it, or one which falls outside the School's registered purposes.

11. Data and Computer Security

Riverside Primary School undertakes to ensure security of personal data by the following general methods (precise details cannot, of course, be revealed):

12. Physical Security

Appropriate building security measures are in place, such as alarms, window bars, deadlocks and computer hardware cable locks. Only authorised persons are allowed in the computer room. Disks, tapes and printouts are locked away securely when not in use. Visitors to the school are required to sign in and out, to wear identification badges whilst in the school and are, where appropriate, accompanied.

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13. Logical Security

Security software is installed on all computers containing personal data. Only authorised users are allowed access to the computer files and password changes are regularly undertaken. Computer files are backed up (ie security copies are taken) regularly.

14. Procedural Security

In order to be given authorised access to the computer, staff will have to undergo checks and will sign a confidentiality agreement. All staff are trained in their Data Protection obligations and their knowledge updated as necessary. Computer printouts as well as source documents are shredded before disposal.

Overall security policy for data is determined by the Headteacher and the Governing Body and is monitored and reviewed regularly, especially if a security loophole or breach becomes apparent. The School's security policy is kept in a safe place at all times.

Any queries or concerns about security of data in the School should in the first instance be referred to the Business Manager at the School.

Individual members of staff can be personally liable in law under the terms of the Data Protection Acts. They may also be subject to claims for damages from persons who believe that they have been harmed as a result of inaccuracy, unauthorized use or disclosure of their data. A deliberate breach of this Data Protection Policy will be treated as disciplinary matter, and serious breaches could lead to dismissal.