



Abbey School

Data Protection Policy

REVISED June 2015

Adopted by Governors:
Reviewed: Sept 2016
Review frequency: Annually
Next review date: Sept 2017
Staff responsible: Headteacher

Data Protection Act 1998

Schools, Academies, Local Authorities and the Department for Education all hold information on students in order to run the education system and in doing so have to following the requirements of the Data Protection Act 1998. This means that data held about students must only be used for specific purposes allowed by the law. The types of data held, why that data is held and to whom it may be passed is detailed below;

Abbey School believe that protecting the privacy of our staff and pupils and regulating their safety through data management, control, and evaluation is vital to whole-school and individual progress. The school collects personal data from pupils, parents, and staff and processes it in order to support teaching and learning, monitor and report on pupil and teacher progress, and strengthen our pastoral provision.

We take responsibility for ensuring that any data that we collect and process is used correctly and only as is necessary, and the school will keep parents fully informed of the how data is collected, what is collected, and how it is used. National curriculum results, attendance and registration records, Special Educational Needs data, and any relevant medical information are examples of the type of data that the school needs. Through effective data management we can monitor a range of school provisions and evaluate the wellbeing and academic progression of our school body to ensure that we are doing all that we can to support both staff and students.

In line with the Data Protection Act 1998, and following principles of good practice when processing data, the school will:

- ensure that data is fairly and lawfully processed
- process data only for limited purposes
- ensure that all data processed is adequate, relevant and not excessive
- ensure that data processed is accurate
- not keep data longer than is necessary
- process the data in accordance with the data subject's rights
- ensure that data is secure
- ensure that data is not transferred to other countries without adequate protection.

There may be circumstances where the school is required either by law or in the best interests of our students or staff to pass information onto external authorities, for example our local authority, Ofsted, or the department of health. These authorities are up to date with data protection law and have their own policies relating to the protection of any data that they receive or collect.

The Local Authority (LA) and other agencies, Education Funding Agency (EFA) can be given information about students in order to carry out specific functions which the school contracts in to, or, for which the school decides to communicate about with to the LA. The LA and other organisations may use data in statistical form to inform decisions on (for example) the funding of schools and to assess the performance of schools.

OFSTED uses information about the progress and performance of students to help inspectors evaluate the work of schools, to assist schools in their self-evaluation and as part of OFSTED's assessment of the effectiveness of education initiatives and policy. Inspection reports do not identify individual students.

The Qualifications and Curriculum Authority uses information about students to administer the national curriculum tests and assessments for Key Stage 3. The results of these are passed on to the DfE in order for it to compile statistics on trends and patterns in levels of achievement. The QCA uses the information to

evaluate the effectiveness of the national curriculum and the associated assessment arrangements and to ensure that these are continually improved.

The Department of Education (DfE) uses information about students for statistical purposes, to evaluate and develop education policy and to monitor the performance of the education service as a whole. On occasion information may be shared with other Government departments or agencies, such as the EFA, strictly for statistical or research purposes only. Students, as data subjects, have certain rights under the Data Protection Act, including right of access to personal data held on them, with parents exercising this right on their behalf if they are too young to do so themselves. All data will only be used for teaching and pastoral care purposes. If a student wishes to access their personal data, or parents wish to do so on their behalf, then please contact the relevant organisation in writing:

Under no circumstances will the school disclose information or data:

- that would cause serious harm to the child or anyone else's physical or mental health or condition
- indicating that the child is or has been subject to child abuse or may be at risk of it, where the disclosure would not be in the best interests of the child
- recorded by the pupil in an examination
- that would allow another person to be identified or identifies another person as the source, unless the person is an employee of the school or local authority or has given consent, or it is reasonable in the circumstances to disclose the information without consent. The exemption from disclosure does not apply if the information can be edited so that the person's name or identifying details are removed

- in the form of a reference given to another school or any other place of education and training, the child's potential employer, or any national body concerned with student admissions.

Requesting Information

Pupils have a right under the Data Protection Act to request information that the school has collected about them by any data controller.

Educational records A pupil can request, in writing, to see their educational record, and the school will comply within 40 calendar days. This record may include:

- a statement of special educational needs
- their personal Pupil premium education plan (PPEP) – the document provided by social care to the school if a child is looked-after
- a record of information kept by the school, for example relating to behaviour or family background, which:

A parent or carer can request to see their child's educational record, or request it on behalf of their child, in writing. The information will be presented within 15 days of the request. If there is a cost of retrieving the information, for example if a copy must be made, the Governing Body may charge the parent amount that it will cost but no more. Other than this, there will be no charge for the information requested.

Privacy notice The schools will issue a privacy notice to all pupils and staff when they join first the school. This will refer pupils, parents, and staff to the school websites where you can find all the information about what data is collected and how it is used.

Other Institutions involved in collaborative delivery. Where secondary schools are involved in collaborative delivery with other schools / colleges and learning providers, student information may also be shared to aid the preparation of learning plans and use of data to achieve the objectives identified above. Staff are required to share work and information in compliance with this policy, and the Acceptable User Policy for staff. Where there is any concern, guidance must be sought from school/ senior management and the IT Network Manager.

Staff

We are legally obliged to protect certain information on our staff. School staff have a right to see records of their personal information. Staff who wish to access this information can make a subject access request under the Data Protection Act 1998. Disclosure of these records will be made once third party information has been removed in accordance with the Data Protection Act 1998.

ACCESS TO DATA AND DISCLOSURE

Third parties Personal data about pupils will not be disclosed to third parties without the consent of the child's parent or carer, unless it is obliged by law or in the best interest of the child. Data may be disclosed to the following third parties without consent:

- **Other schools** If a pupil transfers to another school, their academic records and other data that relates to their health and welfare will be forwarded onto the school. This will support a smooth transition from one school to the next and ensure that the child is provided for as is necessary. It will aid continuation which should ensure that there is minimal impact on the child's academic progress as a result of the move.
- **Examination Authorities** This may be for registration purposes, to allow the pupils at our school to sit examinations set by external exam bodies.
- **Health Authorities** As obliged under health legislation, the school may pass on information regarding the health of children in the school to monitor and avoid the spread of contagious diseases in the interest of public health.
- **Police and Courts** If a situation arises where a criminal investigation is being carried out we may have to forward information on to the police to aid their investigation. We will pass information onto courts as and when it is ordered.
- **Social Workers and Support Agencies** In order to protect or maintain the welfare of our pupils, and in cases of child abuse, it may be necessary to pass personal data on to social workers or support agencies.
- **Educational Division** Schools may be required to pass data on in order to help the government to monitor the national educational system and enforce the Education Act.
- **School staff** School staff will have restricted access to pupils' personal data and will be given access only on a 'need to know' basis in the course of their duties within the school. All staff are well informed of the Data Protection Act and how their conduct must correspond with this. Staff will use data only for the purpose of which it was collected, and any staff that are found to be acting intentionally in breach of this will be disciplined in line with the seriousness of their misconduct.

LOCATION OF INFORMATION AND DATA

Data, records, and personal information should be stored out of sight and in a locked cupboard no matter what format it is in. The only exception to this is medical information that may require immediate access during the school day. This will be stored in the school office, the classroom and the medical room.

Sensitive or personal information and data should ideally not be removed from the school site, however the school acknowledges that some staff may need to transport data between the school and their home in order to access it for work in the evenings and at weekends. This may also apply in cases where staff have offsite meetings, or are on school visits with pupils. The following guidelines are in place for staff in order to reduce the risk of personal data being compromised:

- Paper copies of data or personal information should not be taken off the school site. If these are misplaced they are easily accessed. If there is no way to avoid taking a paper copy of data off the school site, the information should not be on view in public places, or left unattended under any circumstances.
- Unwanted paper copies of data, sensitive information or pupil files should be shredded. This also applies to handwritten notes if the notes reference any other staff member or pupil by name.
- Care must be taken to ensure that printouts of any personal or sensitive information are not left in printer trays or photocopiers.
- If information is being viewed on a PC, staff must ensure that the window and documents are properly shut down before leaving the computer unattended. Sensitive information should not be viewed on public computers.
- If it is necessary to transport data away from the school, it should be downloaded onto a USB stick. The data should not be transferred from this stick onto any home or public computers. Work should be edited from the USB, and saved onto the USB only.
- USB sticks that staff use must be password protected.

These guidelines are clearly communicated to all school staff, and any person who is found to be intentionally breaching this conduct will be disciplined in line with the seriousness of their misconduct.

RETENTION OF DATA

The school will not keep personal data on pupils for any longer than is necessary. Information such as statistical data, and information that is collected to be kept as part of school records, will be kept by the school even after the child leaves.

The schools follow guidelines recommended in the “Records Management Toolkit for Schools May 2012” with regard to retention of data.