



Ackworth School

Data Protection Policy

General Statement

1. The Governing Body has overall responsibility for ensuring that:
 - a. personal information relating to pupils and staff¹ is processed in accordance with Education Regulations and all other statutory provisions including the requirements of the Data Protection Act 1998 and subsequent legislation
 - b. all staff involved with the collection, processing and disclosure of personal data are aware of their duties and responsibilities
2. The Data Protection Officer is responsible for notification to the Data Protection Commissioner.

Enquiries

3. Any enquiry should be addressed in writing to the Bursar, who is the Data Protection Officer.

Fair Obtaining and Processing

4. The School undertakes to process data fairly and for the following specified lawful purposes:-
 - a. to comply with statutory duties and obligations related to education and administration
 - b. to maintain/secure the pupil's health, safety and welfare and to provide appropriate pastoral care
 - c. to provide parents/those with parental responsibility with information in relation to the pupil's progress, achievements, attendance, attitude, aptitude and/or general demeanour within or in the vicinity of the school
 - d. in respect of administrative/financial matters
 - e. to enable the school to provide references
 - f. to assess how the School is performing

Footnote:

¹ Staff includes permanent employees, temporary employees, volunteers and Governors

5. The parent or guardian of each pupil will be asked to give consent to the processing of personal information by signing and returning to the School a consent form which will then be retained on the pupil file. Data includes, but is not limited to:

- a. name, date of birth, postal address, email and telephone number(s)
- a. next of kin
- c. racial/ethnic origin
- d. religious belief or other belief of a similar nature
- e. physical or mental health or condition
- f. special educational needs
- g. the commission or alleged commission of any alleged disciplinary or criminal offence
- h. reports/evaluations
- i. exam results
- j. attendance information
- k. any relevant medical information
- l. photographs (see below)

6. Staff members will also be asked to indicate their consent by signing and returning to the School a consent form which will then be retained on the staff personnel file. Both parental and staff consent will endure until destruction of the data as to which see below.

Data Accuracy

7. Data held will be accurate and kept up to date insofar as is reasonably possible. If a data subject informs the School of a change of circumstances, his or her computer and manual record will be updated as soon as is reasonably practicable.

8. Where a data subject challenges the accuracy of their data, the School will as soon as is reasonably practicable mark the record as potentially inaccurate, or 'challenged'. In the case of any dispute, the Data Protection Officer shall try to resolve the issue informally, but if this proves impossible, disputes will be dealt with through the School's Complaints Procedure for resolution. If the problem cannot be resolved at this stage, either side may seek independent arbitration via the Data Protection Information Commissioner.

9. Until resolved the 'challenged' marker will remain and all disclosures of the affected information will contain both versions of the information.

Data Adequacy and Relevance

10. Data held about individuals will be adequate, relevant and not excessive in relation to the purposes for which the data is being processed.

Length of Time

11. Save for contact details and references, data held about pupils will not be retained for longer than the pupil's 25th birthday, or later if required by the School's insurers and will then be destroyed in a confidential manner.

12. Save for information on a Record Card and that required by external authorities (e.g. HMRC), data held about staff will not be retained for longer than 4 years after they leave the School's employ and will then be destroyed in a confidential manner. The information on the Record Card will consist of the subject's name, address, date of birth, telephone number and period of employment.

13. Data held about unsuccessful applicants for admission to the School or employment will be retained for no more than 12 months from the date of rejection.

Subject Access

14. Pupils and staff have a right of access to their own personal data (except where otherwise specified pursuant to legislation).

15. Requests for access by pupils, parents or staff must be made in writing by completing a 'data subject access form' available from the School office. Completed forms should be submitted to the Data Protection Officer.

16. 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 the person requesting the information (if different), the type of data required (eg Pupil Record, Personnel Record), and the planned date by when the information will be supplied. 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 the date on which sufficient information has been provided.

17. Requests for information will be dealt with within 40 calendar days from receipt of request and fee (except where legislation provides for disclosure within a shorter timescale). An administrative fee may be payable to the School as follows:

Number of pages of information comprising the copy	Fee
Fewer than 100	£10
100-149	£15
150-199	£20
200-199	£25
250-299	£30
300-349	£35
350-399	£40
400-449	£44
450 or more	£50

18. Pupils may have access to their personal data if the School believes the pupil understands the nature of the request. It is considered that most children have a sufficient understanding by the age of 12.

Exemptions

19. There are situations where access to information may be withheld by the School:

a. The Data Protection Act contains a number of exemptions when information may be withheld, these include:

- information which might cause serious harm to the physical or mental health of the pupil or another individual;
- cases where the disclosure would reveal a child is at risk of abuse e.g. referrals to Social Care/Local Education Authority;
- information contained in adoption and parental order records;
- information given to a court in proceedings under the Magistrates' Courts (Children and Young persons) Rules 1992;
- copies of examination scripts; and
- providing examination marks before they are officially announced.

b. Unstructured personal information.

The School will generally not be required to provide access to information held mutually and in an unstructured way.

Disclosure to Third Parties

20. Only authorised and trained staff are allowed to make external disclosures of personal data. External disclosure is envisaged in (but not limited to) the following circumstances:-

- a. to comply with statutory duties and obligations
- b. to maintain/secure the pupil/staff member's health, safety and welfare
- c. to provide parents/those with parental responsibility with information about the pupil's progress, achievements, attendance, attitude, aptitude and general demeanour within or in the vicinity of the School
- d. administrative/financial matters
- e. the provision of references. Copies of references will not be provided to the person who is the subject of the reference. The subject's specific consent will be sought before any reference is given
- f. exam results which may be disclosed to the media or education bodies for publication (either in grade order or alphabetically). Any pupils or parents objecting to such publication must say so in writing to the Head
- g. in the best interests of the School or pupil generally

21. There may be unavoidable disclosures, for example to an engineer during maintenance of the computer system. In such circumstances the engineer will be required to sign a form promising not to disclose the data outside the School.

22. Data used within the School by administrative staff, teachers, Senior management and Governors will only be made available to them where the person requesting the information is working within the School and needs to know the information in order to undertake their work. All staff will be made aware of this policy and their duties under the Data Protection Act.

Use of Photographs

23. The School may take photographs in the course of school life, which may be used for publicity purposes, including in the local press and on the school website. Every care will be taken to ensure the safety and/or anonymity of each child wherever possible.

Pupil Confidentiality

24. Pupils will be asked to respect each other's confidentiality. A pupil can require the School not to disclose his or her personal data to third parties including parents. The School will maintain such confidentiality unless it believes the pupil does not understand the consequences of withholding consent or, alternatively, it is not in the best interests of the pupil to withhold such consent.

Security

25. The School undertakes to use its best endeavours to ensure the security of personal data by adopting appropriate organisational and technical measures.

Physical Security

26. Appropriate building security measures are in place, such as alarms, window bars, deadlocks and computer hardware cable locks. Only authorised persons have access to disks, tapes and printouts which 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.

Systems Security

27. 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 regularly.

Training

28. All staff will be trained about the need to maintain confidentiality and in relation to the legislative requirements.