



Park Way Primary School **Data Protection Policy**

Park Way Primary School collects and uses personal information (referred to in the Data Protection Act 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 registered as a Data Controller, with the Information Commissioner's Office (ICO). Details are available on the ICO website.

The school holds information on pupils in order to support their teaching and learning, to monitor and report on their progress, to provide appropriate pastoral care, and to assess how well the school as whole is doing. This information includes contact details, National Curriculum assessment results, attendance information, characteristics such as ethnic group, special educational needs and any relevant medical information.

From time to time, we are required to pass on some of this data to the Local Authority (LA), to another school to which the pupil is transferring, to the Department for Education and to the Qualifications and Curriculum Authority (QCA), which is responsible for the National Curriculum and associated assessment arrangements.

The Local Authority uses information about pupils to carry out specific functions for which it is responsible, such as the assessment of any special educational needs the pupil may have. It also uses the information to derive statistics to inform decisions on (for example) the funding of schools, and to assess the performance of schools and set targets for them. The statistics are used in such a way that individual pupils cannot be identified from them

PURPOSE

This policy sets out how the school deals with personal information correctly and securely and in accordance with the Data Protection Act 1988, and other related legislation.

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

All school staff and governors involved with the collection, use, processing or disclosures of personal data will be aware of their duties and responsibilities and will adhere to this policy.

WHAT IS PERSONAL INFORMATION DATA?

Personal data is information, which relates to a living individual who can be identified from that data or from that data in addition to other information available to them.

Personal data includes (but is not limited to)

- An individual's name, address, telephone number
- Date of birth/birth certificate
- Photographs
- Financial Information
- National insurance details
- Passport
- Sensitive details such as religion, health records or ethnic origin.

WHAT IS SENSITIVE PERSONAL DATA?

Sensitive personal data is identified separately in the Act because further conditions need to be applied before it can be used. Explicit consent from the person concerned is usually required before those details can be shared or passed to others in order to provide a particular service.

Of course there are times when our 'duty of care' or legal duty requires us to inform others, perhaps for example, following an assessment of identified risks relating to a specific individual. Sensitive personal data includes information as to an individual's racial or ethnic origin, their political opinions, religious beliefs or beliefs of a similar nature, whether they are a member of a trade union, their physical or mental health or condition, sexual life, the commission or alleged commission of an offence and any proceedings or the sentence of any court in such proceedings.

EIGHT PRINCIPLES OF THE DATA PROTECTION ACT

The Data Protection Act 1998 establishes eight principles that must be adhered to at all times:

1. Personal data shall be processed fairly and lawfully;
2. Personal data shall be obtained only for one or more specific and lawful purpose;
3. Personal data shall be adequate, relevant and not excessive;
4. Personal data shall be accurate and where necessary, kept up to date;
5. Personal data processed for any purpose shall not be kept for longer than necessary for that purpose or those purposes;
6. Personal data shall be processed in accordance with the rights of data subject under the Data Protection Act 1998;
7. Personal data shall be kept secure i.e. protected by an appropriate degree of security;
8. 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.

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 when their information is shared and why and with whom unless the Data Protection Act provides a reason not to do this.
- Obtain consent before processing sensitive Personal Data, even if consent is implied within a relevant privacy notice, unless one or other conditions for processing in the Data Protection Act applies.
- Check the accuracy of the information it holds and review it at regular intervals.
- Ensure that only authorized 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 all staff and governors are aware of and understand these policies and procedures.

CONTACTS

If you have any enquiries in relation to this policy, please contact the Head Teacher who will also act as the contact point for any subject access requests.