



The Village School

DATA PROTECTION POLICY

This policy also applies to the Early Years Foundation Stage.

General Statement of the School's Duties

The School is required to process relevant personal data regarding staff, pupils and their parents or guardians as part of its operation and will take all reasonable steps to do so in accordance with this policy. Processing may include obtaining, recording, holding, disclosing, or otherwise using data.

Protecting personal information is the shared responsibility of each member of the School. In this policy any reference to pupils includes current, past or prospective pupils.

Data Protection Controller

The school has appointed the Headmistress as Data Protection Controller (DPC) who will endeavour to ensure that all personal data is processed in compliance with this policy and with the principles of the Data Protection Act 1998.

The Principles

The school will, so far as is reasonably practicable, comply with the Data Protection Principles ("the Principles") contained in the Data Protection Act to ensure that all data is:

- Fairly and lawfully processed
- Processed for a lawful purpose
- Adequate, relevant and not excessive
- Accurate and up to date
- Not kept for longer than necessary.
- Processed in accordance with the data subject's rights
- Secure
- Not transferred to other countries without adequate protection

Personal Data

Personal data covers both facts and opinions about an individual. The school may process a wide range of personal data of staff, pupils, their parents or guardians as part of its operation. This personal data may include (but is not limited to) names and addresses, bank details, academic, disciplinary, admissions and attendance records, references, examination scripts and marks.

Processing of Personal Data

Consent may be required for the processing of personal data unless the processing is necessary for the school to undertake its obligations to staff, pupils and their parents or guardians. Any information which falls under the definition of personal data, and is not otherwise exempt, will remain confidential and will only be disclosed to third parties with the consent of the appropriate individual or under the terms of this policy.

Sensitive Personal Data

The school may, from time to time, be required to process sensitive personal data regarding a pupil, their parents or guardians. Sensitive personal data includes medical information and data relating to religion, race, or criminal records and proceedings. Where sensitive personal data processed by the school, the explicit consent of the appropriate individual will generally be required in writing.

Rights of Access

Individuals have a right of access to information held by the school. Any individual wishing to access their personal data should put their request in writing to the Headmistress. The school will endeavour to respond to any such written requests as soon as is reasonably practicable and in any event within 40 days for access to records and 21 days to provide a reply to an access to information request. Please note that the school reserves the right to charge an administration fee of up to £10 for providing this information.

Certain data is exempt from the right of access under the Data Protection Act. This may include information which identifies other individuals, information which the school reasonably believes is likely to cause damage or distress, or information which is subject to legal professional privilege. The school is also not required to disclose any pupil examination scripts. The school will also treat as confidential any reference given by the school for the purpose of the education, training or employment, or prospective education, training or employment of any pupil or member of staff. The school acknowledges that an individual may have the right to access a reference relating to them received by the school. However, such a reference will only be disclosed if such disclosure will not identify the source of the reference or where, notwithstanding this, the referee has given their consent or if disclosure is reasonable in all the circumstances.

Whose Rights

The rights under the Data Protection Act are the individual's to whom the data relates. The school will, however, in most cases rely on parental consent to process data relating to pupils unless, given the nature of the processing in question, and the pupil's age and understanding, it is unreasonable in all the circumstances to rely on the parent's consent. Parents should be aware that in such situations they may not be consulted. The school will only grant the pupil direct access to their personal data if in the school's reasonable belief the pupil understands the nature of the request. Pupils agree that the school may disclose their personal data to their parents or guardian. Where a pupil seeks to raise concerns confidentially with a member of staff and expressly withholds their agreement to their personal data being disclosed to their parents or guardian, the school will maintain confidentiality unless it has reasonable grounds to believe that the pupil does not fully understand the consequences of withholding their consent, or where the school believes disclosure will be in the best interests of the pupil or other pupils.

Exemptions

Certain data is exempted from the provisions of the Data Protection Act which includes the following:

- The prevention or detection of crime
- The assessment of any tax or duty
- Where the processing is necessary to exercise a right or obligation conferred or imposed by law upon the school

The above are examples only of some of the exemptions under the Act. Any further information on exemptions should be sought from the Headmistress.

Disclosure of Information

The school may receive requests from third parties to disclose personal data it holds about staff, pupils, their parents or guardians. The school confirms that it will not generally disclose information unless the individual has given their consent or one of the specific exemptions under the Data Protection Act applies.

However, the school does intend to disclose such data as is necessary to third parties for the following purposes:

- To give a confidential reference relating to a pupil to any educational establishment which it is proposed that the pupil may attend.
- To give information relating to outstanding fees or payment history to any educational institution which it is proposed that the pupil may attend.
- To publish the results of public examinations or other achievements of pupils of the school.

- To disclose details of a pupil's medical condition where it is in the pupil's interests to do so, for example for medical advice, insurance purposes or to organisers of school trips.
- To give a confidential reference relating to a member of staff in relation to employment, training or the provision of professional services.

Where the school receives a disclosure request from a third party it will take reasonable steps to verify the identity of that third party before making any disclosure.

Use of Personal Information by the School

The school will, from time to time, make use of personal data relating to pupils, their parents or guardians in the following ways.

- To make use of photographic images of pupils in school publications and on the school website. Parental consent to this use is sought when the pupil joins the school, and given by signing the terms and conditions.
- For fundraising, marketing or promotional purposes and to maintain relationships with pupils of the school, including transferring information to any association, society or club set up for the purposes of establishing or maintaining contact with pupils or for fundraising, marketing or promotional purposes. Parents or carers who wish to limit or object to any such use should notify the Headmistress in writing.

Retention of Personal Information

Academic progress files and other non-sensitive information (e.g. extra-curricular attendance or music award certificates) may be passed on to the pupil's next school upon request. All other correspondence will be retained by the school for six years after the individual has left before being securely destroyed.

Staff Recruitment

Where information is obtained in the course of verifying the details supplied by an applicant or in the course of pre-employment vetting, we do not use the information for any other purpose. Once verification or vetting is complete, we destroy the information, merely keeping a record that verification/vetting has been carried out and the result. The only exception to this is that we retain the references taken up at the time of appointment. If records are retained for future consideration in the event of a further vacancy, we advise applicants and give them the opportunity to object.

Accuracy

The school will endeavour to ensure that all personal data held in relation to an individual is accurate. Parents are asked at least once a year to review their

daughter's personal and family details, and, notwithstanding this, must notify the Headmistress of any changes to information held about them. An individual has the right to request that inaccurate information about them is erased or corrected.

Security

The school will take reasonable steps to ensure that members of staff will only have access to personal data relating to pupils, their parents or guardians, where it is necessary for them to do so. All staff will be made aware of this policy and their duties under the Data Protection Act. The school will ensure that all personal information is held securely and is not accessible to unauthorised persons. Arrangements for information relating to Child Protection matters are contained within the School's Safeguarding Policy.

Monitoring the Use of Electronic Communications

The school aims not to intrude into the private lives of pupils or staff but reserves the right to monitor the use of school computers, video and audio machines, phones and fax machines by pupils (and staff) and will keep appropriate records, which can be accessed by pupils (and staff) on request to the Headmistress.

Enforcement

If an individual believes that the school has not complied with this policy or acted otherwise than in accordance with the Data Protection Act they should utilise the school complaints procedure and should also notify the Headmistress.

Policy Monitoring and Review

This policy will be monitored by the Headmistress and will be reviewed every two years.

Prepared: November 2015

To be reviewed: November 2017