



# DATA PROTECTION POLICY

**Statutory**

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## **Introduction**

Cams Hill School needs to collect 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 to collect and use certain types of such personal information to comply with the requirements of the law.

The school is registered as a data controller for the purposes of the Data Protection Act 1998 and is registered with the Information Commissioner's Office (ICO). Details are available on the ICO website. <https://ico.org.uk/>

The school issues a Privacy Notice to all pupils/parents/carers, this summarises the information held on pupils, why it is held and the other organisations to whom it may be passed.

## **Purpose**

This policy sets out how the school deals with personal data correctly and securely and in accordance with the Data Protection Act 1998 and other related legislation.

This policy applies to all personal data 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 disclosure of personal data will be aware of their duties and responsibilities and will adhere to this policy.

## **What is Personal Data?**

Personal data means data which relates to a living individual who can be identified from those data, or from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller and includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual. Personal data includes (but is not limited to) an individual's name, address, email address, date of birth.

## **What is Sensitive Personal Data?**

Sensitive personal data means data consisting of information as to the data subject's racial or ethnic origin, 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, their sexual life, the commission or alleged commission by the data subject of any offence, or any proceedings for any offence committed or alleged to have been committed by the data subject, the disposal of those proceedings or the sentence of any court in such proceedings.

## **Data Protection Principles**

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 specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes/processed for specific and lawful purposes;
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed;
4. Personal data shall be accurate and where necessary, kept up-to-date;
5. Personal data processed for any purpose or purposes shall not be kept for longer than is 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. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
8. Personal data shall not be transferred to a country or territory outside the European Economic Area (EEA), unless that country or territory ensures an adequate level of data protection for the rights and freedoms of the data subjects in relation to the processing of personal data.

### **Commitment**

The school is committed to maintaining the eight principles at all times. Therefore, the school will:

- Inform data subjects why personal data is being collected and be transparent about how the data will be used. The school will not hold more data than needed for that purpose.
- Inform data subjects when their data 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 of the other conditions for processing in the Data Protection Act applies.
- Take reasonable steps to ensure the quality and accuracy of the data it holds and review and update the data at regular intervals.
- Ensure that only authorised personnel have access to the personal data whether it is stored on paper or electronically.
- Ensure that clear and robust safeguards are in place to ensure personal data is kept securely and to protect personal data from loss, theft and unauthorised disclosure, irrespective of the format in which it is recorded.

- Ensure that personal data is not retained for longer than it is needed.
- Ensure that when data is no longer needed it is destroyed/securely deleted and where data becomes out-of-date it is updated, archived or destroyed/securely deleted.
- Share personal data with others only when it is legally appropriate to do so.
- Comply with the duty to respond to requests for access to personal data, known as Subject Access Requests (SAR).
- Ensure that personal data is not transferred outside the EEA without the appropriate safeguards.
- Ensure all staff and governors are aware of and understand these policies and procedures.

### **Complaints**

Complaints will be dealt with in accordance with the school's Complaints Policy. Complaints relating to the handling of personal data may be referred to the Information Commissioner who can be contacted at Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or at <https://ico.org.uk/>.

### **Contacts**

If you have any enquires in relation to this policy, please contact the Headteacher's PA who will also act as the contact point for any subject access requests.