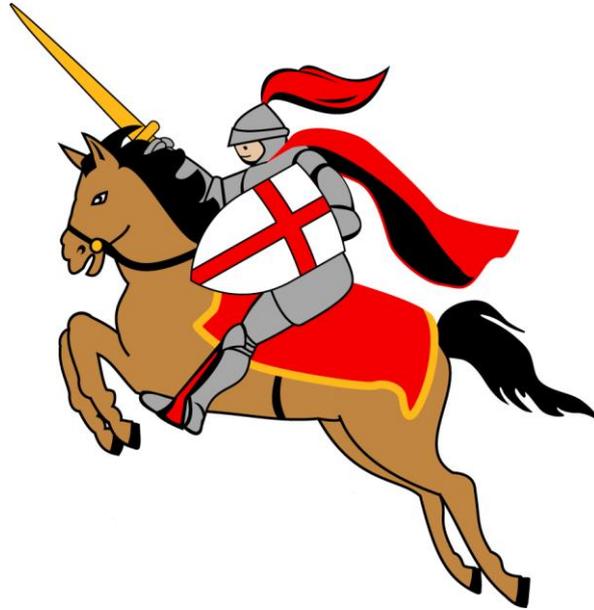


**Conisbrough Ivanhoe Primary Academy**



**DATA PROTECTION POLICY  
2015**

# Data Protection Policy

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## Conisbrough Ivanhoe Primary Academy

### DATA PROTECTION POLICY

#### General Statement

The Governing Body of the Academy has overall responsibility for ensuring that records are maintained, including security and access arrangements, in accordance with Education Regulations and all other statutory provisions.

The Headteacher and Governors of the Academy intend to comply fully with the requirements and principles of the Data Protection Act 1984 and the Data Protection Act 1988. All staff involved with the collection, processing and disclosure of personal data are aware of their duties and responsibilities within these guidelines.

#### Enquiries

Information about the Academy's Data Protection Policy is available from the School Business Manager. General information about the Data Protection Act can be obtained from the Data Protection Commissioner (Information Line 01625 545 745, website [www.dataprotection.gov.uk](http://www.dataprotection.gov.uk)).

#### Fair Obtaining and Processing

Ivanhoe Academy undertakes to obtain and process data fairly and lawfully by informing all data subjects of the reasons for data collection by issuing Fair Process Notices, the purposes for which the data are held, the likely recipients of the data and the data subjects' right of access. Information about the use of personal data is printed on the appropriate collection form. If details are given verbally, the person collecting will explain the issues before obtaining the information

**"processing"** means obtaining, recording or holding the information or data or carrying out any, or set of, operations on the information or data.

**"data subject"** means an individual who is the subject of personal data or the person to whom the information relates.

**"personal data"** means data which relates to a living individual who can be identified. Addresses and telephone numbers are particularly vulnerable to abuse, but so can names and photographs be, if published in the press, Internet or media.

**"parent"** has the meaning given in the Education Act 1996, and includes any person having parental responsibility, or care of a child.

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## **Registered Purposes**

The Data Protection Registration entries for the Academy are available for inspection, by appointment, at the administration office. Explanation of the codes and categories entered is available from the School Business Manager who is the person nominated to deal with Data Protection issues in the Academy. Registered purposes covering the data held at the Academy are listed on the Academy's Registration and data collection documents. Information held for these stated purposes will not be used for any other purpose without the data subject's consent.

## **Data Integrity**

The Academy undertakes to ensure data integrity by the following methods:

### **Data Accuracy**

Data held will be as accurate and up to date as is reasonably possible. If a data subject informs the Academy of a change of circumstances, their computer record will be updated as soon as is practicable. A printout of their data record will be provided to data subjects every twelve months so they can check its accuracy and make any amendments.

Where a data subject challenges the accuracy of their data, the Academy will immediately mark the record as potentially inaccurate, or "challenged". In the case of any dispute, we shall try to resolve the issue informally, but if this proves impossible, disputes will be referred to the Governing Body for their judgement. If the problem cannot be resolved at this stage, either side may seek independent arbitration. 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**

Data held about people will be adequate, relevant and not excessive in relation to the purpose for which the data is being held. In order to ensure compliance with this principle, the Academy will check records regularly for missing, irrelevant or seemingly excessive information and may contact data subjects to verify certain items of data.

### **Length of Time**

Data held about individuals will not be kept for longer than necessary for the purposes registered. It is the duty of the School Business Manager to ensure that obsolete data are properly erased.

## **Subject areas**

The Data Protection Acts extend to all data subjects a right of access to their own personal data. In order to ensure that people receive only information about themselves,

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it is essential that a formal system of request is in place. Where a request for subject access is received from a pupil, the Academy's policy is that

- Requests from pupils will be processed as any subject request and the copy will be given directly to the pupil unless it is clear that the pupil does not understand the nature of the request.
- Requests from pupils who do not appear to understand the nature of the request will be referred to their parents or carers
- Requests from parents in respect of their own child will be processed as requests made on behalf of the data subject (the child) and the copy will be sent in a sealed envelope to the requesting parent.

## **Processing Subject Access Requests**

Request for access must be made in writing.

Pupil, parents or staff may ask for a Data Subject Access form, available from the administration office. Completed forms should be submitted to the School Business Manager. 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 requested (if different), the type of data required (eg Student Record, Personnel Record), and the planned date of supplying the information (normally not more than 30 days from the request date). 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.

NOTE: In the case of any written request from a parent regarding their own child's record, access to the record will be provided within 15 school days in accordance with the Current Education (Pupil Information) Regulations.

## **Authorised Disclosures**

The Academy will, in generally, only disclose data about individuals with their consent. However, there are circumstances under which the Academy's authorised officer may need to disclose data without explicit consent for that occasion.

These circumstances are strictly limited to:

- Pupil data disclosed to authorised recipients related to education and administration necessary for the academy to perform its statutory duties and obligations.
- Pupil data disclosed to parents in respect of their child's progress, achievements, attendance, attitude or general demeanour within or in the vicinity of the Academy.
- Staff data disclosed to relevant authorities eg in respect of payroll and administrative matters.

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- Unavoidable disclosures, for example to an engineer during maintenance of the computer system. In such circumstances, the engineer would be required to sign a form promising not to disclose the data outside the Academy. Officers and IT personnel writing on behalf of the Local Authority are IT liaison/data processing officers, for example in the Local Authority, are contractually bound not to disclose personal data.
- Only authorised and trained staff are allowed to make external disclosures of personal data. Data used within the Academy by administrative staff, teachers and welfare officers will only be made available where the person requesting the information is a professional legitimately working within the academy who **need to know** the information in order to do their work. The Academy will not disclose anything on pupils' records which would be likely to cause serious harm to their physical or mental health or that of anyone else - including anything which suggests that they are, or have been, either the subject of, or at risk, of child abuse.

A "legal disclosure" is the release of personal information from the computer to someone who requires the information to do his, or her, job within or for the academy, provided that the purpose of that information has been registered.

An "illegal disclosure" is the release of information to someone who does not need it, or has no right to it, or one which falls outside the Academy's registered purposes.

## Data and Computer Security

Ivanhoe Academy undertakes to ensure security of personal data by the following general methods (precise details cannot, of course, be revealed):

### Physical Security

Appropriate building security measures are in place, such as alarms, window bars, deadlocks and computer hardware cable locks. Only authorised persons are allowed to be unaccompanied in the administrative office. Disks and printouts are locked away securely when not in use. Visitors to the Academy are required to sign in and out, to wear identification badges whilst in the Academy and are, where appropriate, accompanied.

### Logical Security

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.

### Procedural Security

In order to be given authorised access to the computer, staff will have to undergo checks and sign a confidentiality agreement. All staff are trained in their Data

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Protection obligations and their knowledge updated as necessary. Computer printouts, as well as source documents, are shredded before disposal.