

# St John's Primary School and Nursery

## Policy for Personal Data Handling

Approved by Governors: 22<sup>nd</sup> November 2016

Review Date: November 2018

### Introduction

Schools and their employees should do everything within their power to ensure the safety and security of any material of a personal or sensitive nature.

It is the responsibility of all members of the school community to take care when handling, using or transferring personal data that it cannot be accessed by anyone who does not:

- have permission to access that data, and/or
- needs to have access to that data.

Data breaches can have serious effects on individuals and/or institutions concerned, can bring the school into disrepute and may well result in disciplinary action, criminal prosecution and fines imposed by the Information Commissioners Office for the school and the individuals involved. Particularly, all transfer of data is subject to risk of loss or contamination.

Anyone who has access to personal data must know, understand and adhere to this policy, which brings together the legal requirements contained in relevant data protection legislation and relevant regulations and guidance (where relevant from the Local Authority).

### Policy statements

The school will hold the minimum personal data necessary to enable it to perform its function and it will not hold it for longer than necessary for the purposes it was collected for.

Every effort will be made to ensure that data held is accurate, up-to-date and that inaccuracies are corrected without unnecessary delay.

All personal data will be fairly obtained in accordance with the "Privacy Notice" and lawfully processed in accordance with the "Conditions for Processing".

### Personal data

The school and individuals will have access to a wide range of personal information and data. The data may be held in a digital format or on paper records. Personal data is defined as any combination of data items that identifies an individual and provides specific information about them, their families or circumstances. This will include:

- Personal information about members of the school community – including pupils, members of staff and parents/carers, e.g. names, addresses, contact details, legal guardianship contact details, health records, disciplinary records.
- Curricular/academic data, e.g. class lists, pupil/student progress records, reports, references.

- Professional records, e.g. employment history, taxation and national insurance records, appraisal records and references.
- Any other information that might be disclosed by parents/carers or by other agencies working with families or staff members.

### **Responsibilities**

The school's Senior Information Risk Officer (SIRO) is Mrs Cathy Weir. This person will keep up-to-date with current legislation and guidance and will:

- determine and take responsibility for the school's information risk policy and risk assessment
- appoint the Information Asset Owners (IAOs)

The school will identify Information Asset Owners (IAOs). In our school, this is Mrs Lucy Morris. She is responsible for the various types of data being held, e.g. pupil/student information, staff information, assessment data etc.). The IAOs will manage and address risks to the information and will understand:

- what information is held, for how long and for what purpose
- how information has been amended or added to over time, and
- who has access to protected data and why.

Everyone in the school has the responsibility of handling protected or sensitive data in a safe and secure manner.

Governors are required to comply fully with this policy in the event that they have access to personal data when engaged in their role as a Governor.

### **Registration**

The school is registered as a Data Controller on the Data Protection Register held by the Information Commissioner:

[http://www.ico.gov.uk/what\\_we\\_cover/register\\_of\\_data\\_controllers.aspx](http://www.ico.gov.uk/what_we_cover/register_of_data_controllers.aspx)

### **Information to parents/carers – the “Privacy Notice”**

In order to comply with the fair processing requirements of the DPA, the school will inform parents/carers of all pupils of the data they collect, process and hold on the pupils, the purposes for which the data is held, and the third parties (e.g. LA, DfE etc.) to whom it may be passed. This privacy notice will be passed to parents/carers through a letter at the beginning of the year. Parents/carers of young people who are new to the school will be provided with the privacy notice through parent information packs at their induction meetings.

### **Training and awareness**

All staff will receive data handling awareness/data protection training and will be made aware of their responsibilities, as described in this policy through:

- Induction training for new staff
- Staff meetings/briefings/Inset
- Day-to-day support and guidance from Information Asset Owners

## **Secure storage of and access to data**

The school will ensure that systems are set up so that the existence of protected files is hidden from unauthorised users, and that users will be assigned a clearance that will determine which files are accessible to them. Access to protected data will be controlled according to the role of the user. Members of staff will not, as a matter of course, be granted access to the whole management information system.

All users will use strong passwords which must be changed regularly. User passwords must never be shared.

Personal data may only be accessed on machines that are securely password protected. Any device that can be used to access data must be locked if left (even for very short periods) and set to auto-lock if not used for five minutes.

All storage media must be stored in an appropriately secure and safe environment that avoids physical risk, loss or electronic degradation.

Personal data can only be stored on school equipment; this includes computers and portable storage media (where allowed). Private equipment (i.e. owned by the users) must not be used for the storage of personal data.

When personal data is stored on any portable computer system, USB stick or any other removable media:

- the data must be encrypted and password protected
- the device must be password protected
- the device must offer approved virus and malware checking software, and
- the data must be securely deleted from the device, in line with school policy (below) once it has been transferred or its use is complete

The school has clear policy and procedures for the automatic backing up, accessing and restoring all data held on school systems, including off-site backups.

The school has clear policy and procedures for the use of "Cloud-based Storage Systems" (e.g. Dropbox, Microsoft 365, Google apps and Google docs) and is aware that data held in remote and cloud storage is still required to be protected in line with the Data Protection Act. The school will ensure that it is satisfied with controls put in place by remote/cloud-based data services providers to protect the data.

As a Data Controller, the school is responsible for the security of any data passed to a "third party". Data protection clauses will be included in all contracts where data is likely to be passed to a third party.

All paper-based protected and restricted (or higher) material must be held in lockable storage, whether on- or off-site.

The school recognises that under Section 7 of the DPA, <http://www.legislation.gov.uk/ukpga/1998/29/section/7>, data subjects have a number of rights in connection with their personal data, the main one being the right of access. Procedures are in place to deal with Subject Access Requests, i.e. a written request to see all or a part of the personal data held by the data controller in connection with the data subject. Data subjects have the right to know:

- if the data controller holds personal data about them
- a description of that data
- the purpose for which the data is processed
- the sources of that data
- to whom the data may be disclosed, and
- a copy of all the personal data that is held about them.

Under certain circumstances, the data subject can also exercise rights in connection with the rectification, blocking, erasure and destruction of data.

### **Secure transfer of data and access out of school**

The school recognises that personal data may be accessed by users out of school, or transferred to the LA or other agencies. In these circumstances:

- Users may not remove or copy sensitive or restricted or protected personal data from the school or authorised premises without permission and unless the media is encrypted and password protected and is transported securely for storage in a secure location.
- Users must take particular care that computers or removable devices which contain personal data must not be accessed by other users (e.g. family members) when out of school.
- When restricted or protected personal data is required by an authorised user from outside the organisation's premises (e.g. by a member of staff to work from their home), they should preferably have secure remote access to the management information system or learning platform.
- If secure remote access is not possible, users must only remove or copy personal or sensitive data from the organisation or authorised premises if the storage media, portable or mobile device is encrypted and is transported securely for storage in a secure location.
- Users must protect all portable and mobile devices, including media, used to store and transmit personal information using approved encryption software.
- Particular care should be taken if data is taken or transferred to another country, particularly outside Europe, and advice should be taken from the Local Authority (if relevant) in this event.

### **Disposal of data**

The school will comply with the requirements for the safe destruction of personal data when it is no longer required.

The disposal of personal data, in either paper or electronic form, must be conducted in a way that makes reconstruction highly unlikely. Electronic files must be securely overwritten, in accordance with government guidance (see earlier section for reference to the Cabinet Office guidance), and other media must be shredded, incinerated or otherwise disintegrated for data.

### **Audit logging/reporting/incident handling**

It is good practice, as recommended in the "Data Handling Procedures in Government" document, that the activities of data users in respect of electronically-held personal data will be logged, and these logs will be monitored by responsible individuals.

The audit logs will be kept to provide evidence of accidental or deliberate data security breaches – including loss of protected data or breaches of an acceptable use policy, for example.

The school has a policy for reporting, managing and recovering from information risk incidents, which establishes:

- a “responsible person” for each incident
- a communications plan, including escalation procedures
- and results in a plan of action for rapid resolution, and
- a plan of action of non-recurrence and further awareness raising.

All significant data protection incidents must be reported through the SIRO to the Information Commissioner’s Office based upon the local incident handling policy and communication plan.

### Use of technologies and protective marking

The following provides a useful guide:

	<b><i>The information</i></b>	<b><i>The technology</i></b>	<b><i>Notes on Protective Markings (Impact Level)</i></b>
<b>School life and events</b>	School terms, holidays, training days, the curriculum, extra-curricular activities, events, displays of pupils work, lunchtime menus, extended services, parent consultation events.	Common practice is to use publicly accessible technology such as school websites or portal, emailed newsletters, subscription text services.	Most of this information will fall into the NOT PROTECTIVELY MARKED (Impact Level 0) category.
<b>Learning and achievement</b>	Individual pupil/student academic, social and behavioural achievements, progress with learning, learning behaviour, how parents can support their child’s learning, assessments, attainment, attendance, individual and personalised curriculum and educational needs.	Typically schools will make information available by parents logging on to a system that provides them with appropriately secure access, such as a Learning Platform or portal, or by communication to a personal device or email account belonging to the parent.	Most of this information will fall into the PROTECT (Impact Level 2) category. There may be students/pupils whose personal data requires a RESTRICTED marking (Impact Level 3) or higher, e.g. the home address of a child at risk. In this case, the school may decide not to make this pupil/student record available in this way.
<b>Messages and alerts</b>	Attendance, behavioural, achievement, sickness, school closure, transport arrangements, and other information that it may be important to inform or contact a parent about as soon as possible. This may be particularly important when it is necessary to contact a parent concerning information	Email and text messaging are commonly used by schools to contact and keep parents informed. Where parents are frequently accessing information online, then systems (e.g. Learning Platforms or portals) might be used to alert parents to issues via “dashboards” of information, or be used	Most of this information will fall into the PROTECT (Impact Level 1) category. However, since it is not practical to encrypt email or text messages to parents, schools should not send detailed personally identifiable information. General, anonymous alerts about schools closures or transport arrangements would fall

	that may be considered too sensitive to make available using other online means.	to provide further detail and context.	into the NOT PROTECTIVELY MARKED (Impact Level 0) category.
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## Appendix - DfE Guidance on the wording of the Privacy Notice

### PRIVACY NOTICE TEMPLATE

for

*Pupils in Schools, Alternative Provision and Pupil Referral Units*

*and Children in Early Years Settings*

### Privacy Notice - Data Protection Act 1998

We St. John's Primary School and Nursery are a data controller for the purposes of the Data Protection Act. We collect information from you and may receive information about you from your previous school and the Learning Records Service. We hold this personal data and use it to:

- Support your teaching and learning;
- Monitor and report on your progress;
- Provide appropriate pastoral care, and
- Assess how well your school is doing.

This information includes your contact details, national curriculum assessment results, attendance information and personal characteristics such as your ethnic group, any special educational needs and relevant medical information. If you are enrolling for post 14 qualifications we will be provided with your unique learner number (ULN) by the Learning Records Service and may also obtain from them details of any learning or qualifications you have undertaken.

***We will not give information about you to anyone outside the school without your consent unless the law and our rules allow us to.***

We are required by law to pass some information about you to the Local Authority and the Department for Education (DfE). If you want to see a copy of the information about you that we hold and/or share, please contact Mrs Cathy Weir or Mrs Lucy Morris. If you require more information about how the Local Authority (LA) and/or DfE store and use your information, then please go to the following website:

<http://www.education.gov.uk/researchandstatistics/datatdatam/b00212337/datause>

If you are unable to access these websites we can send you a copy of this information. Please contact the LA or DfE as follows:

Business and Commissioning Intelligence Service  
Performance Business Unit,  
Resources Group  
Saltisford Office Park  
Ansell Way,  
Warwick  
CV34 4UL

Website: <http://www.warwickshire.gov.uk/schoolprivacynotices>

Email: [businessintelligence@warwickshire.gov.uk](mailto:businessintelligence@warwickshire.gov.uk)

Public Communications Unit, Department for Education  
Sanctuary Buildings  
Great Smith Street  
London  
SW1P 3BT

Website: [www.education.gov.uk](http://www.education.gov.uk)

Email: <http://www.education.gov.uk/help/contactus>

Telephone: 0370 000 2288