



HIGHSHORE SCHOOL

Highshore School Data Protection Policy

Highshore School collects and uses personal information about staff, pupils, parents and other individuals who come into contact with the school. This information is gathered in order to enable us to provide education and other associated functions. In addition, there may be a legal requirement to collect and use information to ensure that the school complies with its statutory obligations.

Schools have a duty to be registered, as Data Controllers, with the Information Commissioner's Office (ICO) detailing the information held and its use. These details are then available on the ICO's website. Schools also have a duty to issue a Fair Processing Notice to all pupils/parents which summarises the information held on pupils, why it is held and the other parties to whom it may be passed on.

Purpose

This policy is intended to ensure that personal information is dealt with correctly and securely and in accordance with the Data Protection Act 1998, and other related legislation. It will apply to information regardless of the way it is collected, used, recorded, stored and destroyed and irrespective of whether it is held in paper files or electronically.

All staff involved with the collection, processing and disclosure of personal data will be aware of their duties and responsibilities by adhering to these guidelines.

What is Personal Information?

Personal information or data is defined as data which relates to a living individual who can be identified from that data or other information held.

Data Protection Principles

The Data Protection Act 1998 establishes eight enforceable 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 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 is necessary for that purpose or those purposes;
6. Personal data shall be processed in accordance with the rights of data subjects 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.

General Statement

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

- Inform individuals why the information is being collected when it is collected
- Inform individuals when their information is shared, and why and with whom it was shared
- Check the quality and the accuracy of the information it holds
- Ensure that information is not retained for longer than is necessary
- Ensure that when obsolete information is destroyed that it is done so appropriately and securely
- Ensure that clear and robust safeguards are in place to protect personal information from loss, theft and unauthorised disclosure, irrespective of the format in which it is recorded
- Share information with others only when it is legally appropriate to do so
- Set out procedures to ensure compliance with the duty to respond to requests for access to personal information, known as Subject Access Requests
- Ensure our staff are aware of and understand our policies and procedures
- Please refer to the Schools Freedom of Information Act/Records management Policy for further information.

Complaints

Complaints will be dealt with in accordance with the school's complaints policy. Complaints relating to information handling may be referred to the Information Commissioner (the statutory regulator).

Review

This policy will be reviewed every 2 years subject to any legislative changes. The policy review will be undertaken by the Headteacher in conjunction with Governors.

Contacts

If you have any enquires in relation to this policy, please contact Eileen Ollieuz at headteacher@highshore.southwark.sch.uk who will also act as the contact point for any subject access requests.

Further advice and information is available from the Information Commissioner's Office, www.ico.gov.uk or telephone 0303 123 1113. The address is: Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Signed Julia A. Todd

Date 22/11/16

Appendix 1

Highshore School

Procedures for responding to subject access requests made under the Data Protection Act 1998

Rights of access to information (specifically students)

Pupils attending any type of school have a right of access under the Data Protection Act 1998 to their own information. This is the Right of Subject Access. When a child cannot act for themselves or the child gives permission, parents will be able to access this information on their behalf.

As Highshore is a maintained school, parents have an independent right of access to their child's educational record under separate education regulations.

Actioning a subject access request

1. Requests for information must be made in writing; which includes email, and be addressed to Eileen Ollieuz, the Headteacher. If the initial request does not clearly identify the information required then further enquiries will be made.
2. The identity of the requestor must be established before the disclosure of any information and checks should also be carried out regarding proof of relationship to the child. Evidence of identity can be established by requesting production of:
 - passport
 - driving licence
 - utility bills with the current address
 - Birth / Marriage certificate
 - P45/P60
 - Credit Card or Mortgage statement

This list is not exhaustive.

A request for an educational record will receive a response within 15 school days.

3. It is free to view the educational record, however, the school may charge for the provision of information, dependent upon the following:

- Should the information requested contain the educational record then the amount charged will be dependant upon the number of pages provided. 1-20 pages £1.50, 21 – 40 pages £3, up to 60 pages £5 and 100 pages £10.00. If the request is for other information excluding the educational record then the school will charge £10.00. The school reserves the right to charge £50 where 500+ pages are sought.
- Information about another person may not always be available to you. Unless the other person gives their permission, or it is reasonable in the circumstances to provide the information without permission, the school will be entitled to withhold this information.

4. The response time for subject access requests once officially received is 40 days calendar days. However the 40 days will not commence until after receipt of fees or clarification of information is obtained. Where the information requested is in the

educational record, we aim to respond in 15 school days once clarification and any fees due are received.

5. The Data Protection Act 1998 allows exemptions as to the provision of some information; **therefore all information will be reviewed prior to disclosure.**

6. Third party information is that which has been provided by another, such as the Police, Local Authority, Health Care professional or another school. Before disclosing third party information consent will normally be obtained. This is included within the 40 day statutory timescale.

7. Any information which may cause serious harm to the physical or mental health or emotional wellbeing of the pupil or another will not be disclosed, nor will information that would reveal that the child is at risk of abuse or information relating to court proceedings.

8. If there are concerns over the disclosure of information then additional advice will be sought from Southwark Council's legal department.

9. Where redaction (information blacked out/removed) has taken place then a full copy of the information provided will be retained in order to establish, if a complaint is made, what was redacted and why.

10. Information disclosed should be clear, so any codes or technical terms will be clarified and explained. If information contained within the disclosure is difficult to read or illegible, then it may be retyped.

11. Information can be provided at the school with a member of staff on hand to help and explain matters if requested, or provided at face to face handover. The views of the applicant should be taken into account when considering the method of delivery. If postal systems are preferred then registered/recorded mail will be used.

Complaints

Complaints about the above procedures should be made to the Chair of the Governing Body who will decide whether it is appropriate for the complaint to be dealt with in accordance with the school's complaint procedure.

Complaints which are not appropriate to be dealt with through the school's complaint procedure can be dealt with by the Information Commissioner.

Contacts

If you have any queries or concerns regarding this policy and the procedures then please contact Eileen Ollieuz, Headteacher.

Further advice and information can be obtained from the Information Commissioner's Office, www.ico.gov.uk or telephone 0303 123 1113.