

# ***Data Protection Policy***

***and***

## ***Privacy Notices***

***St Mary's CE Primary School***



‘We will grow up in every way into Christ, who is the head. The whole body depends on Christ, and all the parts of the body are joined and held together. Each part does its own work to make the whole body grow and be strong with love’. *Ephesians 4:15-16*

### **Motto**

Love learning. Love each other.

**Approved by:** Finance and General Purposes

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September 2024

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### 1. Aims

Our school aims to ensure that all data collected about staff, pupils, parents and visitors is collected, stored and processed in accordance with the Data Protection Act 1998.

This policy applies to all data, regardless of whether it is in paper or electronic format.

### 2. Legislation and guidance

This policy meets the requirements of the [Data Protection Act 1998](#), and is based on [guidance published by the Information Commissioner's Office](#) and [model privacy notices published by the Department for Education](#).

It also takes into account the expected provisions of the [General Data Protection Regulation](#), which is new legislation due to come into force in 2018.

In addition, this policy complies with regulation 5 of the [Education \(Pupil Information\) \(England\) Regulations 2005](#), which gives parents the right of access to their child's educational record.

### 3. Definitions

Term	Definition
<b>Personal data</b>	Data from which a person can be identified, including data that, when combined with other readily available information, leads to a person being identified
<b>Sensitive personal data</b>	Data such as: <ul style="list-style-type: none"> <li>• Contact details</li> <li>• Racial or ethnic origin</li> <li>• Political opinions</li> <li>• Religious beliefs, or beliefs of a similar nature</li> <li>• Where a person is a member of a trade union</li> <li>• Physical and mental health</li> <li>• Sexual orientation</li> <li>• Whether a person has committed, or is alleged to have committed, an offence</li> <li>• Criminal convictions</li> </ul>
<b>Processing</b>	Obtaining, recording or holding data. Processing can be automated or manual.
<b>Data subject</b>	The person whose personal data is held or processed.
<b>Data controller</b>	A person or organisation that determines the purposes for which, and the manner in which, personal data is processed.
<b>Data processor</b>	A person, other than an employee of the data controller, who processes the data on behalf of the data controller.
<b>Data Protection Officer</b>	The person in the school, or an external data protection adviser, who takes responsibility for monitoring data protection compliance.

<b>Data breach</b>	A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to personal data.
<b>Lawful bases</b>	There are 6 'lawful bases' (or reasons) that you can use to justify why you need to process data. Only one of the conditions needs to be met.

#### **4. The data controller**

Our school processes personal information relating to pupils, staff and visitors, and, therefore, is a data controller. Our school delegates the responsibility of data controller to the Mrs Sarah Jones (Headteacher).

The school is registered as a data controller with the Information Commissioner's Office (ICO) and renews this registration annually.

#### **5. Data protection principles**

The Data Protection Act 1998 is based on the following data protection principles, or rules for good data handling:

- Data shall be processed fairly and lawfully
- Personal data shall be obtained only for one or more specified and lawful purposes
- Personal data shall be relevant and not excessive in relation to the purpose(s) for which it is processed
- Personal data shall be accurate and, where necessary, kept up to date
- Personal data shall not be kept for longer than is necessary for the purpose(s) for which it is processed
- Personal data shall be processed in accordance with the rights of data subjects under the Data Protection Act 1998
- 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
- Personal data shall not be transferred to a country or territory outside the European Economic Area unless the country or territory ensures an adequate level of protection for the rights and freedoms of data in relation to the processing of personal data

#### **6. Data Audit**

The school will carry out a data audit with support from Impero and their technical support company. Within the audit the school will record all third parties' compliance with the GDPR if those third parties process data for any school users. Such confirmation will, from now on, be an essential part of any contract with third parties when the processing of school users' data is involved. The school will not share data, or have any data processed, by any third parties who do not confirm their compliance with GDPR requirements.

Preferably companies that process school users' data will have certification to ISO27001. The audit will also check the security of physical and digital records and devices.

## **7. Roles and responsibilities**

The governing board has overall responsibility for ensuring that the school complies with its obligations under the Data Protection Act 1998.

Day-to-day responsibilities rest with the Headteacher, or the Deputy Headteacher in the Headteacher's absence. The headteacher will ensure that all staff are aware of their data protection obligations, and oversee any queries related to the storing or processing of personal data.

The school has appointed a Data Protection Officer:

### **Claire Lockyer, Schools' Liaison, Impero Software**

support@imperosoftware.com

0330 400 4142

Oak House, Mere Way, Ruddington Fields Business Park, Ruddington, Nottingham, NG11 6JS

Staff are responsible for ensuring that they collect and store any personal data in accordance with this policy. Staff must also inform the school of any changes to their personal data, such as a change of address.

## **8. Processing Records**

To meet the ICO's recommendation that 'scrupulous records' are developed the school will record its processing of data and the results of its data audit. It will record the ongoing security measures for physical and digital filing systems. Confirmation of compliance by third parties accessing any school user data will be recorded.

In broad terms the school will record which data has been processed (including deletions when data should no longer be stored) on which legal basis. These are outlined in the privacy notices and acceptable use policies.

Consent replies are recorded within the system.

## **9. Sharing Data**

Personal data may be shared with third parties to

- Protect the vital interests of a child
- Protect the vital interests of a member of staff
- To prevent or support the detection of fraud or other legal proceedings
- When required to do so by HMRC

## **10. CCTV**

CCTV is used to support the safety and security of school users. We adhere to the ICO's code of practice\* for its use. Although consent is not required for its use prominent notices inform school users that CCTV is used within the school site.

*\*In the picture: A data protection code of practice for surveillance cameras and personal information*

## **11. Photographs and moving images**

Consent is requested from parents and staff for the use of images. Letters requesting consent outline the choices that pupils and staff may make for the use of their images.

The school may seek consent to use photographs for the following purposes:

- To support school user welfare (identity and security)
- To celebrate achievement within the classroom
- To celebrate achievement within the school
- To celebrate achievement in the printed press
- To celebrate achievement online

## **12. Privacy/fair processing notice**

### **12.1 Pupils and parents**

We hold personal data about pupils to support teaching and learning, to provide pastoral care and to assess how the school is performing. We may also receive data about pupils from other organisations including, but not limited to, other schools, local authorities and the Department for Education.

This data includes, but is not restricted to:

- Contact details
- Results of internal assessment and externally set tests
- Data on pupil characteristics, such as ethnic group or special educational needs
- Exclusion information
- Details of any medical conditions

We will only retain the data we collect for as long as is necessary to satisfy the purpose for which it has been collected.

We will not share information about pupils with anyone without consent unless the law and our policies allow us to do so. Individuals who wish to receive a copy of the information that we hold about them/their child should refer to sections 8 and 9 of this policy.

We are required, by law, to pass certain information about pupils to specified external bodies, such as our local authority and the Department for Education, so that they are able to meet their statutory obligations.

### **12.2 Staff**

We process data relating to those we employ to work at, or otherwise engage to work at, our school. The purpose of processing this data is to assist in the running of the school, including to:

- Enable individuals to be paid
- Facilitate safe recruitment
- Support the effective performance management of staff
- Improve the management of workforce data across the sector
- Inform our recruitment and retention policies
- Allow better financial modelling and planning
- Enable ethnicity and disability monitoring

- Support the work of the School Teachers' Review Body

Staff personal data includes, but is not limited to, information such as:

- Contact details
- National Insurance numbers
- Salary information
- Qualifications
- Absence data
- Personal characteristics, including ethnic groups
- Medical information
- Outcomes of any disciplinary procedures

We will only retain the data we collect for as long as is necessary to satisfy the purpose for which it has been collected.

We will not share information about staff with third parties without consent unless the law allows us to.

We are required, by law, to pass certain information about staff to specified external bodies, such as our local authority and the Department for Education, so that they are able to meet their statutory obligations.

Any staff member wishing to see a copy of information about them that the school holds should contact the Headteacher.

The full version of our school's Privacy notice can be found in Appendix A

### **13. Subject access requests**

Under the Data Protection Act 1998, pupils have a right to request access to information the school holds about them. This is known as a subject access request.

Subject access requests must be submitted in writing, either by letter, email or fax.

Requests should include:

- The pupil's name
- A correspondence address
- A contact number and email address
- Details about the information requested

The school will not reveal the following information in response to subject access requests:

- Information that might cause serious harm to the physical or mental health of the pupil or another individual
- Information that would reveal that the child is at risk of abuse, where disclosure of that information would not be in the child's best interests
- Information contained in adoption and parental order records
- Certain information given to a court in proceedings concerning the child

Subject access requests for all or part of the pupil's educational record will be provided within one month (28 days) of receipt of the request.

In most cases there is no fee charged with a subject access request.

However, where the request is manifestly unfounded or excessive, a fee for the administrative costs of complying with the request may be charged.

A fee will also be charged if an individual requests further copies of their data following a subject access request. This fee is based upon the administrative costs of providing further copies.

## **14. Parental requests to see the educational record**

Parents have the right of access to their child's educational record, free of charge.

Personal data about a child belongs to that child, and not the child's parents. This is the case even where a child is too young to understand the implications of subject access rights.

For a parent to make a subject access request, the child must either be unable to understand their rights and the implications of a subject access request, or have given their consent.

The Information Commissioner's Office, the organisation that upholds information rights, generally regards children aged 13 and above as mature enough to understand their rights and the implications of a subject access request. Therefore, most subject access requests from parents of pupils at our school may be granted without the express permission of the pupil.

## **15. The school's specific data security measures**

- Paper-based records and portable electronic devices, such as laptops and hard drives that contain personal information are kept under lock and key when not in use.
- Papers containing confidential personal information should not be left on office and classroom desks, on staffroom tables or pinned to noticeboards where there is general access.
- Where personal information needs to be taken off site (in paper or electronic form), staff must sign it in and out from the school office.
- All IT systems - mobile devices, laptops, tablets, mobile phones and any device capable of processing data will be password protected.
- Encryption software is used to protect all portable devices and removable media, such as laptops and USB devices.
- Staff, pupils or governors who store personal information on their personal devices are expected to follow the same security procedures for school-owned equipment.
- Staff are expected to ensure the safety of their allocated school devices: devices may not be left unattended in cars at any time and they must be kept out of sight if taken home.
- All passwords must be 'strong;' (at least 8 characters with a mixture of upper and lower case letters, numbers and symbols).

- No passwords will be written down or shared; advice is available on the safe storage of passwords.
- The school will devise granulated levels of access as appropriate to staff responsibilities for access to personal data.
- Devices that are used to process sensitive data and/or are vulnerable to theft will be secured with encryption [BitLocker].
- All emails containing personal data will use school systems and be encrypted (school email accounts / domains to be used).
- All deleted data will be deleted in a secure manner: physical data will be shredded and digital data will fully deleted with trash / junk emptied regularly. Hard disks no longer required will have the data on them deleted and the deletion certified.
- Only data that is necessary for the effective performance of the school will be processed.
- Data protection will be integrated into all appropriate policies and procedures (e.g. staff induction).
- Staff will be updated with any significant interpretations or developments of the GDPR.
- The school will have data impact assessments in place to protect vulnerable data subjects and sensitive data.
- Data contained within an email, or attached to an email, will be transferred to a secure folder and the email deleted.
- Physical data will be kept securely, having regard to the sensitivity of the data and the vulnerability of the data subject e.g. medical data will be accessible to those who need to support a school user's needs, but not to others.
- All school users will handle personal data with care: it will not be left unattended (unattended computers must be locked), school users will not allow others to oversee personal data (screens must be positioned with care); papers must not be left where others can see them.
- All computers that might be used to process data will be set to lock (a screensaver will activate) after 10 minutes of inactivity.
- The Headteacher and/or the DPO will approve who and how personal data is stored on mobile devices.
- All digital data that is stored will be backed up on at least password protected devices.

## **16. Disposal of records**

Personal information that is no longer needed, or has become inaccurate or out of date, is disposed of securely.

For example, we will shred or incinerate paper-based records, and override electronic files. We may also use an outside company to safely dispose of electronic records.

## **17. Data breaches**

All staff must report to a member of the Senior Leadership Team (SLT) or the Data Protection Officer (DPO) any suspected data breaches (the loss, theft, unauthorised access to data etc.) immediately. It will be for the SLT/DPO to decide whether to the suspected data breach warrants reporting to the ICO. NB a data breach would include the accidental sharing of personal data via a wrongly addressed email.

## **18. Training**

Our staff and governors are provided with data protection training as part of their induction process.

Data protection will also form part of continuing professional development, where changes to legislation or the school's processes make it necessary.

## **19. Data Protection Impact Assessment**

For the school's most sensitive data processing activities the school will have completed a DPIA to ensure that the risk to individuals of a data breach is minimised, as should be the risk to the school's reputation. Staff involved in processing the school's most sensitive data will have to record their reading and understanding of the relevant DPIA.

## **20. The General Data Protection Regulation**

We acknowledge that the law is changing on the rights of data subjects and that the General Data Protection Regulation comes into force in May 2018.

We will review working practices when this new legislation takes effect and provide training to members of staff and governors where appropriate.

## **21. Monitoring arrangements**

The Headteacher and the Board of Governors are responsible for monitoring and reviewing this policy.

This document will be reviewed when the General Data Protection Regulation comes into force, and then **every 2 years**.

At every review, the policy will be shared with the governing board.

## **22. Links with other policies**

This data protection policy and privacy notice is linked to the Freedom of Information Publication Scheme, Acceptable Use Policies for Staff, Governors and Pupils, e-Safety Policy, Data Security Policy and the Information and Records Management Society's toolkit for schools.

### **Footnotes:**

1. Data subjects' rights include
  - The right to be informed
  - The right of access
  - The right to object

- The right to be forgotten (this might prove impossible in the school context)
- The right of rectification (any inaccurate data must be corrected)

2. In deciding whether to pass on a suspected data breach to the ICO the DPO will consider whether the data breach might affect a person's

- Reputation
- Confidentiality
- Financial wellbeing
- A loss of control over their data
- Make them vulnerable to discrimination
- Their rights and freedoms



## St Mary's CE Primary School Privacy Notice

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### 1. Privacy notice for parents/carers

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about **pupils**.

We, **St Mary's CE Primary School, Prestwich**, are the 'data controller' for the purposes of data protection law.

Our data protection officer is:

**Claire Lockyer, Schools' Liaison, Impero Software**

support@imperosoftware.com

0330 400 4142

Oak House, Mere Way, Ruddington Fields Business Park, Ruddington, Nottingham, NG11 6JS

Usually the school will coordinate data protection practice through **Mrs Sarah Jones (Headteacher)**

### The personal data we hold

Personal data that we may collect, use, store and share (when appropriate) about pupils includes, but is not restricted to:

- Contact details, contact preferences, date of birth, identification documents
- Results of internal assessments and externally set tests
- Pupil and curricular records
- Characteristics, such as ethnic background, eligibility for free school meals, or special educational needs
- Exclusion information
- Details of any medical conditions, including physical and mental health
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs / Videos
- CCTV images captured in school
- Samples of pupils' work

We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.

## **Why we use this data**

We use this data to:

- Support pupil learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care
- Protect pupil welfare
- Assess the quality of our services
- Administer admissions waiting lists
- Carry out research
- Comply with the law regarding data sharing

## **Our legal basis for using this data**

We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

Less commonly, we may also process pupils' personal data in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this data.

## **Collecting this information**

While the majority of information we collect about pupils is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

## **How we store this data**

We keep personal information about pupils while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations. The Information and Records Management Society's toolkit for schools sets out how long we keep information about pupils.

The school will make every effort to keep your information private. We will lock away paper records and make sure that the computer systems are secure. We will work hard to:

- Prevent any data being lost
- Prevent any data being stolen
- Prevent any data from being deleted inappropriately
- Prevent data being seen by people who have no right to see it
- Prevent data being altered inappropriately

Our laptop computers and other portable devices are protected with passwords and encryption. Any desktop computers that have sensitive information on are also protected with passwords and encryption. We are a serverless school. Data is securely stored in the Cloud. The members of staff do not share passwords or

leave equipment or paper records in vulnerable places. The school has a robust policy on the use of mobile phones and cameras.

The school receives confirmation from other parties who have access to pupil data (for example a company may help the school to analyse pupil attainment) that they comply with the General Data Protection Regulation.

To help keep children safe it is important that the adults looking after children know if there are any health issues that they have. Although we will share this information, we will only share it with people who need to know it to keep your children safe and healthy.

The school has asked Mrs Jones (Headteacher) to look after pupils' information. We have also appointed a *Data Protection Officer* who advises and visits the school. She is Claire Lockyer who works for a company called Impero Software.

The Governing Body has a governor who also looks after pupils' information. Their name is Mr Julian Gibson

## **Data sharing**

We do not share information about pupils with any third party without consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about pupils with:

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The Department for Education – to meet statutory obligations
- The pupil's family and representatives – keeping parents / guardians informed about their child
- Educators and examining bodies – to enter pupils in for their SATs and to obtain examination results
- Ofsted
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Financial organisations – to enable financial management to be undertaken
- Central and local government- to enable statistical analysis to be undertaken at local and national level
- Our auditors – to determine and review the adequacy and accuracy of school financial systems
- Survey and research organisations
- Health authorities – to provide access to local and national health programmes
- Security organisations
- Health and social welfare organisations- to protect the welfare of the child
- Professional advisers and consultants- to ensure that appropriate support is accessed for pupils
- Charities and voluntary organisations
- Police forces, courts, tribunals – to comply with safeguarding and legal obligations

## **National Pupil Database**

We are required to provide information about pupils to the Department for Education as part of statutory data collections such as the school census and Early Years census.

Some of this information is then stored in the [National Pupil Database](#) (NPD), which is owned and managed by the Department and provides evidence on school performance to inform research.

The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of sources including schools, local authorities and exam boards.

The Department for Education may share information from the NPD with other organisations, which promote children's education or wellbeing in England. Such organisations must agree to strict terms and conditions about how they will use the data.

For more information, see the Department's webpage on [how it collects and shares research data](#).

You can also [contact the Department for Education](#) with any further questions about the NPD.

## Transferring data internationally

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

## Parents and pupils' rights regarding personal data

Individuals have a right to make a '**subject access request**' to gain access to personal information that the school holds about them.

Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 13), or where the child has provided consent.

Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

If you make a subject access request, and if we do hold information about you or your child, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you or your child
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request please contact our data protection officer.

Parents/carers also have a legal right to access to their child's **educational record**. To request access, please contact Mrs Jones (Headteacher).

## Other rights

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our data protection officer.

## Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our data protection officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

## Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our **data protection school lead**:

- Mrs Sarah Jones (Headteacher)

This notice is based on the [Department for Education's model privacy notice](#) for pupils, amended for parents and to reflect the way we use data in this school.

The school will ask every family to play their part in protecting other people's personal information (or data) which is why we ask all the children in Key Stage 2 to sign an Acceptable Use Policy. The children and their families have the right to have their data kept confidential and we ask you to share the duty to maintain other people's confidentiality.

The school might have to change this notice if there are changes to the law or if the school decides policy changes are needed.

## 2. Privacy notice for pupils

### Introduction

Everybody has a right to have their personal information kept confidential, this includes the children who attend St Mary's CE Primary School and their families. The school is committed to protecting pupils' and families' privacy. These rights are also part of the law, the General Data Protection Regulation.

### Why do we keep data?

The School uses data (personal information) for the following main reasons:

- To record who is on the school roll (our admissions)
- To record school attendance
- To assess how well pupils are attaining and to predict how they might attain in the future
- To help keep children safe and healthy (protecting pupils' welfare).
- To make sure that we give equal treatment to all children
- To arrange activities beyond the school day (after school clubs, for example)

The school receives this data, works with it, stores it and shares it with others on the legal basis of *Public Task*. This means that these activities are tasks that the school has to carry out.

The school will ask for families for *consent* to our using other data, such your photograph.

### Keeping your information private

The school will make every effort to keep your information private. We will lock away paper records and make sure that the computer systems are secure. We will work hard to:

- Prevent any data being lost
- Prevent any data being stolen
- Prevent data from being deleted inappropriately
- Prevent data being seen by people who have no right to see it
- Prevent data being altered inappropriately

To help keep children safe it is important that the adults looking after you know if there are any health issues that you might have. Although we will share this information, we will only share it with people who need to know it to keep you safe and healthy.

The school has asked Mrs Jones (Headteacher) to look after pupils' information. We have also appointed a *Data Protection Officer* who advises and visits the school. She is Claire Lockyer who works for a company called Impero Software.

The Governing Body has a governor who also looks after pupils' information. Their name is Mr Julian Gibson

### Pupils' Data

The sort of data that is personal and which should be kept private includes:

- Your full name and address and your family details
- Anything to do with your health and your welfare
- Anything to do with your religion (if you follow a religion) and your ethnicity
- How you are getting on in school

The school will expect every pupil to play their part in protecting other people's personal information (or data) which is why we ask all the children in Key Stage 2 to sign an Acceptable Use Policy. You have the *right* to have your data kept confidential and you have the *duty* to maintain other people's confidentiality.

The school might have to change this notice if there are changes to the law or if the school decides policy changes are needed.

### 3. Privacy notice for staff

#### General Data Protection Regulation GDPR

##### Introduction

Staff employed by St Mary's CE Primary School and contractors engaged by the school have many legal rights regarding how their personal data is obtained, stored, processed and transmitted (i.e. 'processed') both during your period of employment and after. The school has to obtain certain information before a contract of employment may be offered. This privacy notice details how the school will comply with the law and gives you an understanding of why and how the school uses the information about you.

This privacy notice does not form part of your contract of employment. The notice may be updated at any time. All people working with or for the school must comply with this policy when processing data.

The Governing Body and Leadership of St Mary's CE Primary School acknowledge the absolute necessity for correct and lawful treatment of data and are committed to ensuring security for your data.

##### Roles and Responsibilities

The school is a **Data Controller** as we are responsible for decisions about how and why we use your personal information.

At times the school acts as a **Data Processor** when we are required to obtain, process and transfer data on the behalf of external organisations.

The school has appointed a **Data Protection Officer**

**Claire Lockyer, Schools' Liaison, Impero Software**

support@imperosoftware.com

0330 400 4142

Oak House, Mere Way, Ruddington Fields Business Park, Ruddington, Nottingham, NG11 6JS

Usually the school will coordinate data protection practice through

**Mrs Sarah Jones (Headteacher)**

Claire Lockyer may be contracted directly should any employee or contractor feel that their concerns about data protection are not being addressed within the school. Among the DPO's duties are:

- Advice on the secure storage and transmission of data (both physical and digital)
- Updates for the school on the GDPR
- The completion of a data audit
- Support for a data processing record system
- The provision of template GDPR documentation (please note that this cannot be shared beyond the school without the permission of Safeguarding Monitor)
- Reporting to the school's leadership and governing body on levels of security and compliance
- Support with securing certification that they are also complying fully with GDPR duties from third parties who might hold personal data through the school
- The DPO will communicate with the Information Commissioner's Office should there be a confirmed or suspected data breach
- The DPO will communicate with any person whose data might have been improperly accessed, deleted, lost or stolen

The governor who oversees data security for the governing body is

Mr Julian Gibson

Email via School office: stmarysprestwich@bury.gov.uk

### **The principles under which the school will process data**

- Data will be kept securely - all employees and contractors share this duty
- Personal information will all be stored no longer than is necessary to exercise the school's duties and statutory requirements
- All employees and contractors will be informed clearly about the purposes for processing data
- Data processing will be limited to the purposes that are explained to employees and contractors
- The school will keep data relevant, current and up-to-date
- The school will only use personal information in a legal and transparent manner

### **The categories of information and the bases for which that information is processed**

In broad terms the school will collect, store, process and transmit data to meet its duties under

- Employment law
- Safer recruitment
- Staff welfare
- Payroll and pension procedures
- Performance Management
- To meet the school's responsibilities under the Equalities Act

### **Specifically the school will process the following information**

Data processed on the legal basis of public task for safe recruitment, promotion and pupil safeguarding

*Your application with references, proof of qualification, proof of identity, right to work in the UK, DBS certification, any disability, notes on your recruitment process, images captured within the school site by CCTV equipment, your use of IT equipment to ensure compliance with our Acceptable Use Policy and other IT policies*

Data processed on the legal basis of public task for employment, payroll and pension procedures and the prevention of fraud

*Your data of birth, bank details, payroll details, address, pension choices, national insurance number, a photograph of you, tax status, car details (if you intend to park in the school site), leave entitlement, sick leave monitoring and any disciplinary or capability notes should the need arise*

Data processed on the legal basis of public task for staff welfare

*Contact details for your next of kin, any medical needs, disability, allergies and any other health needs that you choose to share*

Data processed on the legal basis of public task to fulfil the school's duty of accountability

*Your performance management, the attainment and achievement of pupils you teach or for whom you share a responsibility, your continuous professional development*

Data processed on the legal basis of consent for equality monitoring

*You may choose to disclose information regarding your ethnicity, age, religion, gender, sexual orientation and medical needs so that the school can monitor its equality of employment*

Data processed on the legal basis of consent to support the school team's social life

*With your consent the school use your data to share information about social events organised for the staff*

Data processed on the legal basis of consent to support the school's professional relationships

## *Your trade union membership*

This cannot be an exhaustive list, but any further information will be collected and used legally and on either the basis of public task or consent. Much of the information is collected during recruitment and induction. We have to collect some information from former employees and other agencies such as the **Data Barring Service**. Further information will be collected throughout your period of working for the school. Some information will be processed for external agencies, including future employers on the basis of public task. The principal use of your information will be for the school to perform the contract that applies to our working relationship.

If information required on the basis of the school's public task is withheld then the school might not be able to perform the contract that applies to our working relationship.

You will be notified if we need to use your information in ways other than those so far stated and you will be informed about which legal basis has been selected.

The school regards certain information as particularly sensitive - such as information on physical and mental health, religion, ethnicity and sexuality. Such information will be gathered to support the school's equal opportunities obligations, but will only be gathered given your specific written consent. Such information may also be used to ascertain your fitness to work and to ensure your health and safety and/or to make reasonable adjustments to your working environment and work pattern.

The school does not use your information for automated decision making.

We share some information with third parties most commonly for HR tasks and as required by the law  
*Payroll and pension, benefits provision and administration*

All third parties are required to maintain data security as the law requires. We require certification from third parties that your information is secure.

After your period of employment with the school we will only keep that information which we are required to do so to fulfil financial, legal and safeguarding duties.

## **Your duty to inform the school of changes**

The school must have up-to-date information which is accurate. Please keep the school informed of any changes to your information while you are employed by the school

## **Your rights to 'see' your data**

Under law, under most circumstances, you have the right to request access to your personal information (usually this is known as a 'data subject request'). Under this right you may request a copy of the information we hold on you and to check that processing is lawful.

You may request correction or completion of any of the data.

You may request that your personal information is erased or restricted if there is information for which there is no good purpose for the school to continue to hold

Please contact **Mrs. Sarah Jones (Headteacher)** in writing should you wish to review, correct or erase personal information, or you may contact the DPO directly. The school has 15 days to meet your request.

Please note that the school has a primary duty of care to the children and may withhold access if it can be demonstrated that this is necessary in the vital interests of a child. You will be informed if this is the case in writing.

There is no fee required for your access to data or for any amendments.

You have the right to withdraw the consent that you have previously granted the school to process certain data. If this is the case then please contact **Mrs. Sarah Jones (Headteacher)** in writing.

### **School compliance**

St Mary's CE Primary School has appointed a Data Protection Officer to oversee compliance with this privacy notice. If you have any questions about your data security or this privacy notice, then please contact the DPO initially.

You have the right to make a complaint to the Information Commissioner's Office (ICO) which is the UK supervisory authority for data protection.

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

St Mary's CE Primary School may update this privacy notice at any time. A copy of the new notice will be given to you. We may inform you in other ways of any changes that we make to the processing of your data.