

Data Protection Act Policy

November 2014

Approved by the Directors: November 2014

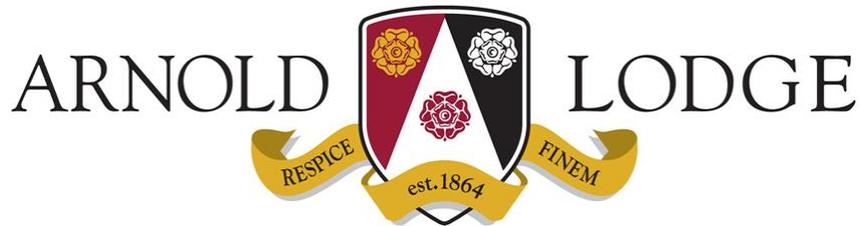
Review annually.

Next review date November 2015

This policy is part of a portfolio of policies associated with 'Safeguarding' and must therefore, be read in conjunction with the other policies. All policies are available on the website or in school.

About this Policy

This policy applies to **the processing of Personal data and sensitive information in respect of staff and students/parents directly linked with Arnold Lodge.** The need to process data for normal school business purposes has been communicated to all staff and students.



Introduction

Arnold Lodge is required to keep certain personal data about staff and students/parents in order to fulfil its purpose and to meet its legal and regulatory obligations. In compliance with the Data Protection Principles as set out in the Data Protection Act 1998 Arnold Lodge shall ensure that all data and information – whether held electronically or paper based - is used fairly, stored safely and not disclosed to any other person without the express permission of the data subject (the individual to whom the data pertains)

Data Processing

Arnold Lodge as the Data Controller as defined by the Data Protection Act 1998 and the Information Commissioners Office (ICO) will obtain and process personal data for the following purposes:

- Education – teaching and learning
- Educational Support and Ancillary Purposes
- School Administration
- Staff, Agent and Contractor administration and management
- Advertising, Marketing, Public Relations, General Advice Services
- Crime Prevention and Prosecution of Offenders

The data will be adequate, relevant and not excessive. The data will be kept up to date and will be processed in accordance with the data subject's rights under the Act.

Data Management

Arnold Lodge manages data within the context of the Data Protection Act 1998 and ICO guidance, specifically:

Definitions

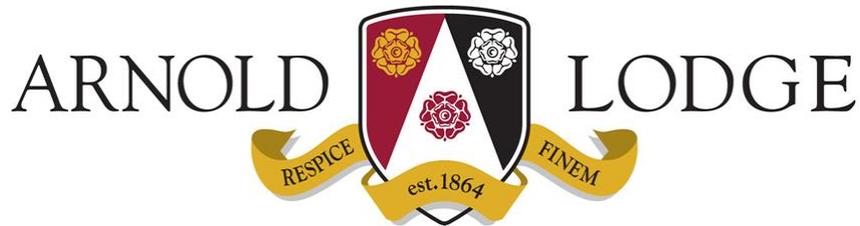
Data means information which

- is being processed by means of equipment operating automatically in response to instructions given for that purpose
- is recorded with the intention that it should be processed by means of such equipment
- is recorded as part of a relevant filing system or with the intention that it should form part of a relevant filing system
- does not fall within any of the above but forms part of an accessible record e.g. an educational record that consists of information about a pupil, which is held by a local education authority or special school
- is recorded information held by a public authority and not covered by any of the above

Data Controller is the 'body' who determines the purposes for which and the manner in which any personal data is to be processed.

Data processor, in relation to personal data, this means any person (other than an employee of the data controller) who processes the data on behalf of the data controller.

Data Subject is the individual who is the subject of personal data.



Personal Data is data which relates to a living individual who can be identified from the specific data or from 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.

Sensitive personal data is personal data consisting of information as to:

- the racial or ethnic origin of the data subject
- his/her political opinions
- his/her religious beliefs or other beliefs of a similar nature
- whether he/she is a member of a trade union (within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992)
- his/her physical or mental health or condition
- his/her sexual life
- the commission or alleged commission by him/her of any offence, or any proceedings for any offence committed or alleged to have been committed by him/her, the disposal of such proceedings or the sentence of any court in such proceedings.

Storage and Transfer of Personal Data

The School and all staff who process or use personal information are required:

- Keep Personal data for no longer than is necessary for its stated purpose and to keep it secure from unauthorised access, accidental loss or destruction.
- Only transfer Personal data to countries outside the European Economic Area that have demonstrable equivalent levels of protection for personal data.

Breach

Any breach of this policy will be taken seriously and may result in formal action being taken. Any member of staff or student who considers that the policy has not been followed in respect of personal data about themselves should raise the matter with the Head in the first instance.

Information and Access to Data Held and Processed

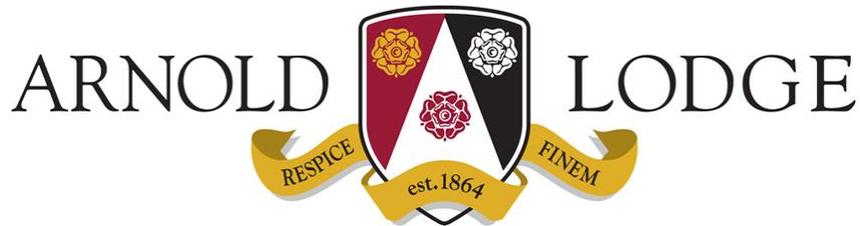
Staff and students/parents and other users are entitled to know:

- what information is held about them and why, and how to gain access to it
- how the School complies with its obligations under the 1998 Data Protection Act
- how the data will be kept up to date

Staff and students/parents have the right to access any personal data that is being kept in electronic/digital format manual filing systems. Any person wishing to exercise this right must make the request in writing to the Head teacher.

The School aims to comply with requests for access to personal information as quickly as possible, but will ensure that it is provided within 40 working days of receipt of a request unless there is good reason for delay. In such cases, the reason for delay will be explained in writing to the individual making the request.

An access fee is applicable at the prevailing rate as advised by the ICO



Responsibility

All staff and students'/parents' are responsible for checking that any personal data that they provide to the School is accurate and up to date and informing the School of any changes to information which they have provided.

If, as part of their responsibilities, staff collect information about staff and/or students, they must comply with the Policy and that personal data or images relating to students (or staff) are processed in line with the Data Protection Act 1998.

- The Business Manager/Data Manager shall be consulted prior to commencing any activity or process relating to student personal data or images.
- Personal data or images relating to students must not be sent via email, over the internet or via other messaging systems.
- Personal data or images relating to students (or staff) may only be held on the School network and must not be saved to an external drive without prior permission from the Business Manager - data manager – might need to add this to job description.
- Personal data or images relating to students (or staff) may only be removed from the School premises using an encrypted, password protected USB device supplied by the Business Manager/Data Manager.

Security

The need to ensure that data is kept securely means that precautions must be taken against physical loss or damage, and that both access and disclosure must be restricted.

All staff are responsible for ensuring that any personal data which they hold is kept securely and that Personal information is not disclosed either orally, in writing, electronically, or otherwise to any unauthorised third party.

Monitoring and Review

This policy is monitored and reviewed annually.