

# Bhaktivedanta Manor Primary School



## Data Protection Policy

<b>Authority</b>	<b>Name</b>	<b>Approved Date</b>	<b>Next Review Date</b>
<b>Governing Body</b>	<b>Members</b>	<b>September 2017</b>	<b>September 2018</b>

# **Bhaktivedanta Manor School**

## **Data Protection Policy**

### **Statement of Policy**

The Bhaktivedanta Manor School collects and uses personal information about staff, students, parents or carers and other individuals who come into contact with the school. This information is gathered in order to enable it 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.

### **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 purposes;
- 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
- 7) Subjects under the Data Protection Act 1998;
- 8) Personal data shall be kept secure i.e. protected by an appropriate degree of security;
- 9) Personal data shall not be transferred to a country or territory outside the;
- 10) European Economic Area, unless that country or territory ensures an adequate level of data protection

### **General Policy**

The Bhaktivedanta Manor School is committed to maintaining the above 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 staffs are aware of and understand our policies and procedures

## **Policy Terms**

### **1 The Bhaktivedanta Manor school will comply with:**

- 1.1** The terms of the 1998 Data Protection Act, and any subsequent relevant legislation, to ensure personal data is treated in a manner that is fair and lawful.
- 1.2** Information and guidance displayed on the Information Commissioner's website ([www.dataprotection.gov.uk](http://www.dataprotection.gov.uk)).

### **2 This policy should be used in conjunction with the school's Acceptable Use of the Internet Use Policy.**

### **3 Data Gathering**

- 3.1** All personal data relating to staff, pupils or other people with whom we have contact, whether held on computer or in paper files, are covered by the Act.
- 3.2** Only relevant personal data may be collected and the person from whom it is collected should be informed of the data's intended use and any possible disclosures of the information that may be made.

### **4 Data Storage**

- 4.1** Personal data will be stored in a secure and safe manner.
- 4.2** Electronic data will be protected by standard password and firewall systems operated by the school.
- 4.3** Computer workstations in administrative areas will be positioned so that they are not visible to casual observers waiting either in the office or at the reception hatch.
- 4.4** Manual data will be stored where it not accessible to anyone who does not have a legitimate reason to view or process that data.
- 4.5** Particular attention will be paid to the need for security of sensitive personal data.

## **5 Data Checking**

**5.1** The school will issue regular reminders to staff and parents to ensure that personal data held is up-to-date and accurate.

**5.2** Any errors discovered would be rectified and, if the incorrect information has been disclosed to a third party, any recipients informed of the corrected data.

## **6 Data Disclosures**

**6.1** Personal data will only be disclosed to organisations or individuals for whom consent has been given to receive the data, or organisations that have a legal right to receive the data without consent being given.

**6.2** When requests to disclose personal data are received by telephone it is the responsibility of the school to ensure the caller is entitled to receive the data and that they are who they say they are. It is advisable to call them back, preferably via a switchboard, to ensure the possibility of fraud is minimised.

**6.3** If a personal request is made for personal data to be disclosed it is again the responsibility of the school to ensure the caller is entitled to receive the data and that they are who they say they are. If the person is not known personally, proof of identity should be requested.

**6.4** Requests from parents or children for printed lists of the names of children in particular classes, which are frequently sought at Christmas, should politely refused as permission would be needed from all the data subjects contained in the list. (Note: A suggestion that the child makes a list of names when all the pupils are present in class will resolve the problem.)

**6.5** Personal data will not be used in newsletters, websites or other media without the consent of the data subject.

**6.6** Routine consent issues will be incorporated into the school's pupil data gathering sheets, to avoid the need for frequent, similar requests for consent being made by the school.

**6.7** Personal data will only be disclosed to Police Officers if they are able to supply a WA170 form which notifies of a specific, legitimate need to have access to specific personal data. This form is the agreed procedure between Hertfordshire City Council and Metropolitan Police.

**6.8** A record should be kept of any personal data disclosed so that the recipient can be informed if the data is later found to be inaccurate.

## **7 Subject Access Requests**

**7.1** If the school receives a written request from a data subject to see any or all personal data that the school holds about them this should be treated as a Subject Access Request and the school will respond within the 40 day deadline.

**7.2** Informal requests to view or have copies of personal data will be dealt with wherever possible at a mutually convenient time but, in the event of any disagreement over this, the person requesting the data will be instructed to

make their application in writing and the school will comply with its duty to respond within the 40-day time limit.

**8** This policy will be included in the school's Staff Handbook.

**9** Data Protection statements will be included in the school prospectus and on any forms, that are used to collect personal data.

Next Review Date: **September 2018**