

Data Protection Policy Extracts (Managing Personal Data)

This policy applies to all personal data the school processes regardless of the location where that personal data is stored (e.g. on an employee's own device) and regardless of the data subject. All staff and others processing personal data on the Schools behalf must read it. A failure to comply with this policy may result in disciplinary action.

The School has appointed a Data Protection Officer (DPO) to monitor and advise on compliance with GDPR and the DPA.

The Digital Economy Act 2017 requires every data controller (i.e. organisation) in the UK to pay a fee to the Information Commissioner's Office (ICO). The schools registration number is Z687060X

When processing personal data, all staff should be guided by the principles laid out below. The school (The Controller) must be able to demonstrate compliance with these principles;

Personal data must be:

1. Processed **lawfully, fairly** and in a **transparent** manner in relation to individuals.
2. **Purpose limitation** - collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes
3. **Data minimisation** - adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed
4. **Accuracy** - accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay
5. **Storage limitation** - kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by GDPR in order to safeguard the rights and freedoms of individuals
6. **Integrity and confidentiality (security)** - processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures

The controller shall be accountable for and be able to demonstrate compliance with the above principles.

The first principle, as referred to above requires that you process all personal data lawfully, fairly and in a transparent manner. Processing is only lawful if you have a lawful basis under Article 6. And to comply with the accountability principle in Article 5(2), you must be able to demonstrate that a lawful basis applies.

If no lawful basis applies to your processing, your processing will be unlawful and in breach of the first principle. Individuals also have the right to erase personal data which has been processed unlawfully.

The individual's right to be informed under Article 13 and 14 requires Banks Lane Infant & Nursery School to provide people with information about our lawful basis for processing. This means we need to include these details in our privacy notice.

1. **Consent:** the individual has given clear consent for the school to process their personal data for a specific purpose.
2. **Contract:** the processing is necessary for a contract the school has with the individual, or because they have asked us to take specific steps before entering into a contract.
3. **Legal obligation:** the processing is necessary for us to comply with the law (not including contractual obligations).
4. **Vital interests:** the processing is necessary to protect someone's life.
5. **Public task:** the processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law.
6. **Legitimate interests:** the processing is necessary for your legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. (This cannot apply if you are a public authority processing data to perform your official tasks.)

3. Staff responsibilities

Staff members who process personal data about students, staff, applicants or any other individual must comply with the requirements of this policy. Staff members must ensure that:

- a) All personal data is kept securely;
- b) No personal data is disclosed either verbally or in writing, accidentally or otherwise, to any unauthorised third party;
- c) Personal data is kept in accordance with the Schools retention schedule;

- d) Any queries regarding data protection, including subject access requests and complaints, are promptly directed to the Information Governance Team;
- e) Any data protection breaches are swiftly brought to the attention of Senior Managers and in turn the Information Governance team;
- f) Complete the mandatory annual data protection training;

If staff are unsure about who are the authorised third parties to whom they can legitimately disclose personal data should seek advice from the Business Manager and Senior Leadership Team.

The School is responsible for the use made of personal data by anyone working on its behalf. Managers who employ contractors, short term or voluntary staff must ensure that they are appropriately vetted for the data they will be processing. In addition managers should ensure that:

(a) Personal data collected or processed in the course of work undertaken for the School is kept secure and confidential;

(b) Personal data is returned to the School on completion of the work, including any copies that may have been made. Alternatively it is securely destroyed and the School receives notification this has taken place

(c) The School is made aware of any disclosures of personal data to any other organisation or person who is not a direct employee of the contractor;

(d) Personal data is neither stored nor processed outside the UK unless written consent to do so has been received from the School;

(e) All practical and reasonable steps are taken to ensure that contractors, short term or voluntary staff do not have access to any personal data beyond what is essential for the work to be carried out properly.

Plus full suite of Data Subject Rights

Records Retention Schedule