



**ARNOLD LODGE**  
4 - 18 yrs Co-educational Independent Day School

# ALS Data Protection Policy

**Approved by the Directors:** September 2017

Reviewed Annually

**Next review date:** September 2018



## **Data Protection 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.

### **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



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**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.



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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.

## Use of Personal Data

The School is committed to protecting the rights and privacy of individuals in accordance with the Data Protection Act 1998. We will process personal data, (including names, addresses and contact numbers) both in electronic or manual (normally paper) form for the purpose of:

- fulfilling its contractual or other legal obligations towards current, past and prospective employees, Directors and/or others; and/or,
- providing references for staff: and/or;
- protecting the vital interests of the employees.

## Registration

The School is registered under the Data Protection Act. This policy has been formulated under the Act and is intended to operate in accordance with the provisions and spirit of the Act and relevant guidance and good



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practice, in particular the Data Protection Principles.

## Aims

The School aims never to:

- Hold or use inaccurate or misleading data;
- Keep more data, more categories of data, or keep data for longer than is reasonably required in order to fulfil the purposes of this policy.
- Disclose personal data to others except in accordance with this policy.
- Use personal data to make any automated decision which significantly affects an employee.
- Sell or transfer any part of its database(s) for the purposes of direct marketing.

## Data Controller

The Data Controller is the School acting through the Business Manager as the person responsible.

## The Eight Principles

- Data should be processed fairly and lawfully
- Data should be obtained for one or more specific lawful purposes
- Data shall be adequate, relevant and not excessive
- Data shall be accurate and where necessary kept up to date
- Data is not kept longer than necessary for the purpose
- Data shall be processed in accordance with subject rights under the Act
- Appropriate technical and organisational measures shall be taken against unauthorised/unlawful processing, loss destruction, damage to personal data.
- Data shall not be transferred outside the EEA unless that country/territory ensures adequate level of protection for rights and freedoms of data subjects in relation to the processing of personal data.



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