

# Harlington Upper School



## Data Protection Policy

Policy No: HUS011

**Edition 3: 30 March 2017**

**Approved By: Governing Body**

Document Control		
Edition	Issued	Changes from previous
1	14/2/2013	None – new policy
2	3/3/15	Update to reflect DfE guidance
3	30/3/17	None

Policies/Documents referred to in this policy	Postholders/Persons named in this policy
Data Protection Act	Data Protection Controller Data Protection Officer

Review cycle: every 2 years

Review date: March 2019

## **Data Protection Policy**

### **Introduction**

The Data Protection Act 1998 is the law that protects personal privacy and upholds individual's rights. It applies to anyone who handles or has access to people's personal data.

This policy is intended to ensure that personal information is dealt with properly and securely and in accordance with the Data Protection Act. It will apply to information regardless of the way it is used, recorded and stored and whether it is held in paper files or electronically.

Harlington Upper School is required to process relevant personal data regarding staff, students, their parents and guardians.

The school must manage and process personal data properly, protect the individual's right to privacy and provide an individual with access to all personal data held on them.

The school will make available privacy notices which inform data subjects why their personal information is needed, how it will be used and with whom it will be shared.

### **1. Data Protection Controller and Data Protection Officer**

The school has a legal responsibility to comply with the Data Protection Act. The school, as a corporate body, is named as the Data Controller under the Act.

Data Controllers are people or organisations who hold and use personal information. They decide how and why the information is used and have a responsibility to establish workplace practices and policies that are in line with the Act.

The school is required to 'notify' the Information Commissioner of the processing of personal data. This information will be included in a public register which is available on the Information Commissioner's website:

<https://ico.org.uk/about-the-ico/what-we-do/register-of-data-controllers/>

The Headteacher has been appointed as the Data Protection Officer for the school.

## **2. The Principles**

The school shall so far as is reasonably practicable, comply with the eight Data Protection Principles contained in the Data Protection Act to ensure all data is:

- i. Fairly and lawfully processed
- ii. Processed for specified, lawful purposes
- iii. Adequate, relevant and not excessive
- iv. Accurate and kept up to date
- v. Not kept for longer than is necessary
- vi. Processed in accordance with the rights of data subjects under this Act
- vii. Securely protected against unauthorised processing, accidental loss, destruction or damage
- viii. Not transferred to other countries (especially outside the EU) without adequate protection

## **3. Personal Data**

Personal information is any information that relates to a living individual who can be identified from the information. This includes any expression of opinion about an individual and intentions towards an individual. It also applies to personal data held visually in photographs or video clips (including CCTV) or as sound recordings.

Definitions of personal data are complex, and it is difficult to define categorically. However, broadly speaking and in day to day use, "personal data" is information which relates to a living, identifiable individual.

In the context of this document and the School's requirement to process "personal data" as part of its duty of care and to educate its students, "personal data" may include:

- School admission and attendance registers
- Student's curricular records
- Reports to parents on the achievements of their children
- Records in connection with students entered for prescribed public examinations
- Staff records, including payroll records
- Student disciplinary records
- Personal information for teaching purposes
- Records of contractors and suppliers
- References

In addition, the school may be required by law to collect and use certain types of information to comply with statutory obligations of Local Authorities, Government Agencies and other bodies.

#### **4. Processing Personal Data and Consent**

If it is necessary for the School to process certain personal data to fulfil its obligations to students and their parents or guardians in accordance with section 3 of this policy, then consent is not required. However, any information which falls under the definition of personal data and is not exempt under the Data Protection Act will remain confidential.

The School is legally required to give a student access to their personal data if in the School's reasonable belief the student understands the nature of the request and its implications. In accordance with Section 30 of the Exemptions to the Data Protection Act 1998 if the School may withhold access if it does not consider it appropriate for a student to see a particular document.

Data will only be disclosed to third parties with the consent of the appropriate individual or under the terms of this Policy.

#### **5. Rights of Access**

Individuals have a right of access to information held by the School. Any individual wishing to access their personal data should put their request in writing or by email addressed to the Data Protection Officer at the following address:

Harlington Upper School  
Goswell End Road  
Harlington LU5 6NX

Email: [enquiries@harlington.org](mailto:enquiries@harlington.org)

Requests will be responded to within 40 calendar days

The School may charge a fee for providing information to cover administration and disbursement costs.

#### **6. Exemptions**

Information about categories of data exempted from the provisions of the Data Protection Act can be found on the ICO website at:

[www.ico.org.uk](http://www.ico.org.uk)

#### **7. Accuracy**

In accordance with the Data Protection Act 1998 the school's policy is to ensure that any personal data held about an individual is accurate. The School will seek to encourage all students and staff to notify the Data Protection Officer of any changes to information held about them.

## **8. Security**

Where it is reasonably practicable, the School will take steps to ensure that members of staff will only have access to personal data relating to students, their parents or guardians when it is necessary for them to do so. The School will ensure that all personal information is held in a secure location and is not accessible to unauthorised persons.

## **9. Enforcement**

If an individual believes that the School has not complied with this Policy or acted otherwise than in accordance with the Data Protection Act, they should notify the Data Protection Officer at:

Harlington Upper School  
Goswell End Road  
Harlington LU5 6NX

Email: [enquiries@harlington.org](mailto:enquiries@harlington.org)

## **10. Further Information**

Further information can be found on the ICO website at:

[www.ico.org.uk](http://www.ico.org.uk)