

Newcastle upon Tyne Royal Grammar School

Policy on Data Protection, information security and record storage

This policy applies to the whole school and is published to parents and staff

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1. As part of its operations, the School is required to process relevant *personal data*, both paper-based and electronic, and the school will take all steps to do so in accordance with this policy and the **Data Protection Act 1998** (*the Act*). The School holds and processes personal data relating to students and intending students, their parents, staff and third parties working with and for the School for a wide range of purposes, including:
 - (a) Education and training administration
 - (b) Human resources, financial and pensions management
 - (c) Alumni relations and fundraising
 - (d) Personal safety, discipline and protection of property (including CCTV).
- 2 This policy applies to anyone who works for, or acts on behalf of, the school, including staff, volunteers, self-employed coaches and tutors, governors and service providers.
- 3 This policy also applies to:
 - (a) The RGS Educational Trust
 - (b) RGS Trading Ltd
 - (c) The RGS Prize Fund Charity
 - (d) The RGS Support Staff Pension Plan
 - (e) The Old Novocastrians' Association.
- 4 In accordance with the Act, the School has notified the Information Commissioner's Office (ICO) of its data processing activities. The school's ICO registration number is Z5794887.
- 5 For the purposes of the Act, the School is the *Data Controller* and has appointed the Bursar as **Data Protection Controller (DPC)**. Within the School, each member of staff has a direct responsibility for ensuring compliance with the Act and this policy. This includes ensuring that such data is kept securely and not made available to unauthorised parties, e.g. by keeping paper records in a locked cabinet, and providing password protection for electronically held personal data.
- 6 *Data subjects* include:

- (a) Prospective, current and past students of the School and their parents/guardians
- (b) Prospective, current and past employees and voluntary helpers at the School, including visiting music teachers, sports coaches and other third parties invited to provide educational services for the school from time to time
- (c) Governors of the School, Trustees of the RGS Educational Trust, the RGS Prize Fund Charity and the RGS Support Staff Pension Plan and the Directors of RGS Trading Ltd
- (d) Members of pension schemes available to the School's employees
- (e) Members of the Friends of RGS and the Old Novocastrians' Association
- (f) Donors to the RGS and RGS Educational Trust
- (g) Suppliers and contractors to the School for goods and services
- (h) Any person coming on to the School's premises (for CCTV only).

7 *Personal data* means data which relate to a living individual who can be identified from those data or from those data and other information which is in the possession of, or is likely to come into the possession of, the Data Controller. This includes information recorded as part of a *relevant filing system*, i.e. any data relating to individuals structured in such a way that specific information relating a particular individual is readily available.

8 Personal data processed with regard to the above data subjects includes:

- (a) Names, addresses, telephone numbers, e-mail addresses and other contact details
- (b) Bank details and financial data for parents, workers and suppliers
- (c) Academic, attendance, disciplinary and health information regarding students, intending students and former students
- (d) Images of students engaged in school activities (see the RGS **Photography in school policy**) and images captured by the School's CCTV systems (see the RGS **CCTV Code of Practice**).

9 The School will use, and where appropriate, share with third parties personal data for a number of purposes, including:

- (a) Selection of students for admission to the School
- (b) Providing education, extra-curricular activities, career and higher education advice and monitoring students' progress and conduct
- (c) Management planning and forecasting
- (d) Providing references for present and past students and employees in support of applications to other schools and organisations
- (e) Safeguarding students' wellbeing and providing appropriate pastoral care
- (f) Monitoring use of the School's IT network and social media in accordance with the School's **Acceptable use policy**

- (g) Using photographic images of students (and staff) in school publications, on its website and in published marketing materials of various means, including social media
- (h) For security, legal and regulatory purposes
- (i) Where otherwise reasonably required for the running of the School.

10 From time to time, the School will engage *third parties* to assist in the processing or use of personal data, for example by passing names and addresses to mailing houses for direct mailing of material relating to the school or to proof readers for checking of documents. In such cases, the third party will be asked to provide a copy of its Data Protection Policy and/or sign an agreement to maintain confidentiality, not disclose the data to any third party and to return or destroy the data immediately after using it, as directed by the School.

11 The School will, so far as is practicable, comply with the following *Data Protection principles*, set down in the above Act, to ensure that all personal data is:

- (a) Fairly and lawfully processed
- (b) Processed for a lawful purpose
- (c) Adequate, relevant and not excessive
- (d) Accurate and up to date
- (e) Not kept for longer than necessary
- (f) Processed in accordance with the data subject's rights
- (g) Secure
- (h) Not transferred to other countries without adequate protection.

12 Staff, students and their parents should be aware that these provisions also apply to data held in the form of a **photograph, video recording or audio recording** of a data subject. The School will not publish photographic images of individual students with their names without consent from parents if the data subject is less than 16 years old. The School provides separate guidance for students and parents on data protection issues associated with imagery (still and moving) and its use: please see the RGS [Photography in school policy](#).

13 Sixth Form students will be asked to sign a form explaining Data Protection issues and giving the School authority to retain their personal details after they have left school for the purposes of alumni relations and fundraising.

14 Individuals have a *right to access* of information held by the school. Any individual wishing to access their personal data should put their request in writing to the Bursar as DPC. The School will endeavour to respond as soon as possible, and in any case provide a reply to a request within 21 days and access to records within 40 days. The School is also entitled to charge an administration fee of up to £10 for providing such information.

- 15 The **rights** under the Act belong to the individual to whom the data relates. In practice the School will, in most cases, rely on parental consent to process personal data. However, students can make subject access requests for their own personal data, provided that, in the reasonable opinion of the School, they have sufficient maturity to understand the request which they are making. Officially, students aged 12 or over are generally assumed to have reached such a level of maturity, but each request will be considered on a case by case basis. Parents should therefore be aware that in such situations they **may not** be consulted. Please also see the section above regarding Sixth Form students.
- 16 The School will assume that students consent to the disclosure of their personal data to their parents (e.g. for keeping parents informed of their progress and conduct), and in the interests of the student's welfare, unless, in the School's opinion, there is reasonable cause for doing otherwise.
- 17 Certain data is **exempt from the right of access** under the Act, including:
- (a) Data which identifies other individuals
 - (b) Information which the School reasonably believes is likely to cause damage or distress
 - (c) Information which is subject to legal professional privilege.
- 18 Certain data is **exempt** from the provisions of the Act. This includes:
- (a) Information relating to the prevention or detection of crime
 - (b) The assessment of any tax or levy
 - (c) Where the processing of the data is necessary to exercise a right or obligation conferred or imposed by law upon the School.
- 19 The School is **not required** to disclose to any student or intending student examination scripts.
- 20 The School will treat as confidential any reference given by the School for the purpose of the prospective or current education, training or employment of any student or employee. The School acknowledges that an individual may have a right to access a reference relating to them received by the School. However, such a reference will only be disclosed if such a disclosure will not identify the source of the reference or where, notwithstanding this, the referee has given his/her consent, or if disclosure is reasonable in all circumstances.
- 21 The School will only grant the student direct access to his/her personal data if in the School's reasonable belief the student understands the nature of the request. Students agree that the School may disclose their personal data to their parents/guardians.
- 22 A schedule setting out relevant data subjects, types of data, storage and access arrangements is attached to this policy.

- 23 Personal data includes both facts and opinions about an individual. In the case of a data subject other than a student, personal data will not normally be disclosed to a third party without the data subject's consent (see exemptions above). In the case of a student, the School will only pass on such personal data as is legitimately required by third parties (e.g. Examinations Boards, other schools, colleges, universities and potential employers).
- 24 From time to time it will be necessary to process sensitive personal data (e.g. regarding health, mental health, social care issues, criminal records, race or religion), such information will not normally be processed without the consent of the data subject or, in the case of a student under 16 years of age, his/her parents/guardians, unless the School has good reason to believe that such disclosure would be harmful to the child who is the data subject.
- 25 The Act assumes that similar Data Protection legislation applies in all countries which are members of the European Community. If it is necessary for any reason to transmit personal data outside the European Community, the consent of the data subject should be sought first.
- 26 The School will endeavour to ensure that all personal data which it holds is accurate. Employees, governors, trustees, volunteer helpers and the parents of students must notify the School as Data Controller of any changes to information held about them, and they have the right to ask that inaccurate information about them is erased or destroyed.
- 27 Members of staff and students must also conform to the requirements of the School's [Acceptable use policy](#), which has implications for Data Protection.
- 28 If a data subject believes that the School has not complied with this policy or with the requirements of the Act, he/she should notify the Bursar on behalf of the School as Data Protection Controller. Parents and students may also refer to the School's [Complaints policy](#) and employees may also resort, where appropriate, to the School's [Grievance procedure](#) or [Whistleblowing policy](#).