


# Information Policy (SS-10-2)

## (part of the Data Protection suite of policies)

### In Compliance with UK GDPR & Data Protection Act 2018

<b>Ratified by:</b>	Bob Crozier, Chair of Finance & Staffing Committee
<b>Signature:</b>	
<b>Date:</b>	08.02.2022

<b>Committee Responsible:</b>	Finance & Staffing
<b>Author:</b>	Amanda Moffat/Veritau (DPO)
<b>Date of Review:</b>	January 2022
<b>Proposed Review Date:</b>	Every 2 Years – January 2024
<b>Version Number:</b>	05

Version	Date	Comments	Author
01	14/01/2016	DPP 2015/16	SBA
02	28/03/2018	Major re-write to comply with GDPR 2018	AMO/SBA
03	March 2020	Re-written in line with sample DPP from KA Associates (which was not available in 2018). Appendices inc. Privacy Notices.	AMO
04	September 2020	Updates specific to COVID-19 pandemic Related to use of data, updated consent form, privacy notices and visitor record.	AMO
05	January 2022	Re-formatted in line with Veritau model policies (new DPO)	AMO/Veritau

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## INTRODUCTION

This policy is to ensure that Cockermouth School Academy complies with the requirements of the UK General Data Protection Regulation (UK GDPR), Data Protection Act 2018 (DPA), Environmental Information Regulations 2004 (EIR) and Freedom of Information Act 2000 (FOIA), associated guidance and Codes of Practice issued under the legislation.

## SCOPE

The Information Policy applies to information in all forms including, but not limited to:

- Hard copy or documents printed or written on paper;
- Information or data stored electronically, including scanned images;
- Communications sent by post/courier or using electronic means such as email, fax or electronic file transfer;
- Information or data stored on or transferred to removable media such as tape, CD, DVD, USB storage device or memory card;
- Information stored on portable computing devices including mobile phones, tablets, cameras and laptops;
- Speech, voice recordings and verbal communications, including voicemail;
- Published web content, for example intranet and internet;
- Photographs and other digital images.

This policy is the School's main information governance policy and addresses:

- Data Protection (including rights and complaints)
- Freedom of Information
- Information Asset Management

Information security, acceptable use of systems, records management and security incident reporting will be addressed in separate policies.

## DATA PROTECTION

Personal data will be processed in accordance with the requirements of UK GDPR and in compliance with the data protection principles specified in the legislation.

The School has notified the Information Commissioner's Office that it is a Data Controller and has appointed a Data Protection Officer (DPO). Details of the DPO are shown below:

Schools Data Protection Officer  
Veritau Ltd  
County Hall  
Racecourse Lane  
Northallerton  
DL7 8AL

[schoolsDPO@veritau.co.uk](mailto:schoolsDPO@veritau.co.uk)  
01904 554025

*Please ensure you include the name of your school in all correspondence*



The DPO is a statutory position and will operate in an advisory capacity. Duties will include:

- Acting as the point of contact for the Information Commissioner's Office (ICO) and data subjects;
- Facilitating a periodic review of the corporate information asset register and information governance policies;
- Assisting with the reporting and investigation of information security breaches;
- Providing advice on all aspects of data protection as required, including information requests, information sharing and Data Protection Impact Assessments; and
- Reporting to governors on the above matters.

### **INFORMATION ASSET REGISTER**

The DPO will advise the School in developing and maintaining an Information Asset Register (IAR). The register will include the following information for each asset:

- An individual information asset identification number;
- The owner of that asset;
- Description and purpose of the asset;
- Whether there is a privacy notice published for that asset;
- Format and location of the asset;
- Which officers (job titles/teams) have routine access to the information;
- Whether there are any data sharing agreements relating to the information and the name of that agreement,
- Conditions of data processing;
- Details of any third parties contracted to process the information;
- Retention period for the asset

The IAR will be reviewed annually and the Headteacher will inform the DPO of any significant changes to their information assets as soon as possible.

### **INFORMATION ASSET OWNERS**

An Information Asset Owner (IAO) is the individual responsible for an information asset, who understands the value of that information and the potential risks associated with it. The School will ensure that IAOs are appointed based on sufficient seniority and level of responsibility.

IAOs are responsible for the security and maintenance of their information assets. This includes ensuring that other members of staff are using the information safely and responsibly. The role also includes determining the retention period for the asset and, when destroyed, ensuring this is done so securely.

### **TRAINING**

The School will ensure that appropriate guidance and training is given to the relevant staff, governors and other authorised school users on access to information procedures, records management and data breach procedures. Individuals will also be made aware and given training in relation to information security including using email and the Internet.

The DPO will provide the School with adequate training resources and guidance materials. The DPO will be consulted, and will offer an adequacy opinion, if the School opts to use a third party training provider.

The School will maintain a 'training schedule' which will record when employees have completed an information governance training module and when a refresher is due to be completed.

The School will ensure that any third party contractors have adequately trained their staff in information governance by carrying out the appropriate due diligence.

## **PRIVACY NOTICES**

Cockermouth School will provide a privacy notice to data subjects each time it obtains personal information from or about that data subject. Our main privacy notice will be displayed on the School's website and on Firefly (our virtual learning environment) in an easily accessible area. This notice will also be provided in a hard copy to students and parents at the start of their time at the School within their information pack.

A privacy notice for employees will be provided at commencement of their employment with the School. Specific privacy notices will be issued where the data subject requires more information about specific processing (e.g. school trips, projects).

Privacy notices will be cleared by the DPO prior to being published or issued. A record of privacy notices shall be kept on the School's Information Asset Register.

## **INFORMATION SHARING**

In order to efficiently fulfil our duty of education provision it is sometimes necessary for the School to share information with third parties. Routine and regular information sharing arrangements will be documented in our main privacy notice (as above). Any adhoc sharing of information will be done in compliance with our legislative requirements.

## **DATA PROTECTION IMPACT ASSESSMENTS**

The School will conduct a Data Protection Impact Assessment (DPIA) for all new projects involving high risk data processing as defined by UK GDPR. This assessment will consider the privacy risks and implications of new projects as well as providing solutions to the identified risks.

The DPO will be consulted at the start of a project and will advise whether a DPIA is required. If it is agreed that a DPIA will be necessary, then the DPO will assist with the completion of the assessment, providing relevant advice.

## **RETENTION PERIODS**

Retention periods will be determined by any legal requirement, best practice or national guidance, and lastly the organisational necessity to retain the information. In addition IAOs will take into account the Limitation Act 1980, which provides timescales within which action may be taken for breaches of the law, when determining retention periods.

The School has adopted a retention schedule based on one suggested by the Information and Records Management Society (IRMS), and recommended by the DPO.

## **DESTRUCTION OF RECORDS**

Retention periods for records are recorded in the School's IAR and in the Data Retention Policy. When a record reaches the end of its retention period the IAO will arrange for the records, both electronic and paper, to be destroyed securely. Provisions to destroy paper information securely include cross-cutting shredders and confidential waste bins.

Advice in regards to the secure destruction of electronic media will be sought from relevant IT support.

A record should be retained of all files destroyed including, where relevant:

- File reference number
- Description of file
- Date of disposal
- Method of disposal
- Officer who destroyed record

This information will be recorded on a Data Destruction Log and administered by relevant staff.

### **THIRD PARTY DATA PROCESSORS**

All third party contractors who process data on behalf of the School must be able to provide assurances that they have adequate data protection controls in place to ensure that the data they process is afforded the appropriate safeguards. Where personal data is being processed, there will be a written contract in place with the necessary data protection clauses contained.

Relevant senior leadership may insist that any data processing by a third party ceases immediately if it believes that that third party does not have adequate data protection safeguards in place. If any data processing is going to take place outside of the EEA then the Data Protection Officer must be consulted prior to any contracts being agreed.

### **ACCESS TO INFORMATION**

*Requests for information under the Freedom of Information Act 2000 (FOIA) and Environmental Information Regulations 2004 (EIR)*

#### **Requests under this legislation should be made to the Headteacher**

The Headteacher will forward the request to the relevant member of staff. This member of staff (usually the Data Manager in consultation with the DPO) is responsible for:

- Deciding whether the requested information is held;
- Locating, retrieving or extracting the information;
- Considering whether any exemption might apply, and the balance of the public interest test;
- Preparing the material for disclosure and drafting the response;
- Seeking any necessary approval for the response; and
- Sending the response to the requester

FOIA requests should be made in writing. Please note that we will only consider requests that provide a valid name and address, and we will not consider requests that ask us to click on electronic links. EIR requests can be made verbally; however, we will endeavour to follow this up in writing with the requestor to ensure accuracy.

Each request received will be acknowledged within five school days of receipt. The Chair of Governors and Headteacher will jointly consider all requests where a public interest test is applied or where there is any doubt on whether an exemption should be applied. In applying the public interest test they will:

- Document clearly the benefits of both disclosing or withholding the requested information; and
- Where necessary seek guidance from previous case law in deciding where the balance lies
- Consult the DPO

Reasons for disclosing or not disclosing will be reported to the next governing body meeting.

We have adopted the Information Commissioner's model publication scheme for schools and will publish as much information as possible on our website in the interests of transparency and accountability.

We will charge for supplying information at our discretion, in line with current regulations. If a charge applies, written notice will be given to the applicant and payment must be received before the information is supplied. Please see our separate Freedom of Information Charging Policy for further information.

We will adhere to the required FOI/EIR timescales and requests will be answered within **20 school days**.

*Requests for information under the UK GDPR - Subject Access Requests*

## Requests under this legislation should be made to the Data Manager

Any member of staff or governor may receive a request for an individual's personal information. Whilst UK GDPR does not require such requests to be made in writing, applicants are encouraged where possible to do so; applicants who require assistance should seek help from the School. Requests will be logged with the Data Manager and acknowledged within five school days of receipt. A subject access request can be made using a pro-forma template if preferred (see Appendix A).

We must be satisfied as to your identity and may have to ask for additional information such as:

- Valid Photo ID (driver's licence, passport etc);
- Proof of Address (Utility bill, council tax letter etc);
- Further information for the School to be satisfied of the applicant's identity.

Only once the School is satisfied of the requestor's identity and has sufficient information on which to respond to the request will it be considered valid. We will then respond to your request within the statutory timescale of One Calendar Month.

The School can apply a discretionary extension of up a further two calendar months to comply with the request if the requested information would take a considerable amount of time to collate, redact, and prepare for disclosure due to either the complexity or voluminous nature of the records. If we wish to apply an extension we will firstly seek guidance from our DPO, then inform the applicant of the extension within the first calendar month of receiving the request. This extension period will be kept to a minimum and will not be used as a way of managing workloads. In very limited cases we may also refuse a request outright as 'manifestly unreasonable' if we would have to spend an unjustified amount of time and resources to comply.

Should we think any exemptions are necessary to apply we will seek guidance from our DPO to discuss their application.

If a subject access request is made by a parent whose child is 12 years of age or over, we may request consent from the child (see consent form Appendix B) or ask that they submit the request on their own behalf. This decision will be made based on the capacity and maturity of the student in question.

**Requests received from parents asking for information held within the student's Education Record will be dealt with under the Education (Pupil Information)(England) Regulations 2005. Any charges which arise from this request will be applied at our discretion.**

## DATA SUBJECT RIGHTS

As well as a right of access to information, data subjects have a series of other rights prescribed by the UK GDPR including:

- Right to rectification
- Right to erasure
- Right to restrict processing
- Rights in relation to automated decision-making and profiling

All requests exercising these rights must be in writing and forwarded to the Data Manager, who will acknowledge the request and respond within one calendar month. Advice regarding such requests will be sought from our DPO.

A record of decisions made in respect of the request will be retained, recording details of the request, whether any information has been changed, and the reasoning for the decision made.

## **Complaints**

Complaints in relation to FOI/EIR and Subject Access will be handled through our existing procedures. Any individual who wishes to make a complaint about the way we have handled their personal data should contact the DPO on the address provided.

## **Copyright**

Cockermouth School will take reasonable steps to inform enquirers if any third party might have a copyright or intellectual property interest in information provided in response to their requests. However, it will be the enquirer's responsibility to ensure that any information provided by the School is not re-used in a way which infringes those interests, whether or not any such warning has been given.

## ACCESS TO PERSONAL DATA REQUEST (SAR)

You can use this form to make a Subject Access Request (SAR) for information we hold about you or a child, but you do not have to. All SARs should be made in writing to the Data Manager, c/o Cockermouth School. To help us respond appropriately, please provide as much information as possible.



<b>Enquirer's full name:</b>		
<b>Enquirer's Address:</b> (inc Postcode)		
<b>Enquirer's Tel No:</b>		
<b>Are you the person who is the subject of the records you are enquiring about (i.e. the 'Data Subject')?</b>	<b>YES / NO</b>	
<b>If NO</b>		
<b>If you are NOT the Data Subject and are enquiring about a child's records, do you have parental responsibility for that child?</b>	<b>YES / NO</b>	
<b>If you DO have parental responsibility for the child(ren) whose records you are requesting access to, please tell us:</b>		
<b>Name of Child(ren) on whose behalf you are making the SAR</b>	<b>Date of Birth</b>	<b>Year/Form Group</b>
<b>Description of data concern or area of concern:</b>		
<b>What specific information or topic(s) you want access to (in your own words):</b>		
<b>Additional Information you think we need to process your request:</b>		
<b>Please tell us where you would like us to send the information if different from above:</b>		
<b>Name:</b>		
<b>Address (including postcode):</b>		



<b>Data Subject Declaration:</b>
<p>I request that Cockermouth School search its records based on the information supplied above under the Data Protection Act 2018 / General Data Protection Regulation, and provide a description of the personal data found from the information described in the details outlined above relating to me (or my child/children) being processed by the school.</p> <p>I agree that the compliance period (one calendar month) will commence when I have supplied sufficient information to enable the school to perform the search.</p> <p>I consent to the reply being disclosed and sent to me at my stated address (or to the despatch name and address, who I have authorised to receive such information).</p> <p><b>Please Note:</b>  <i>The school reserves the right to extend the compliance period by up to an additional two calendar months depending on the complexity or volume of information required.</i></p> <p><i>If you are requesting access to data for a child, and the school is satisfied that the child understands their rights with regard to SARs, then the we will respond to the child rather than the parent (unless the child has given consent for information to be shared with a third party (e.g. parent, solicitor etc.). Parents have right of access to their child's Education Record without the child's consent.</i></p> <p><b>Confirmation of Identity:</b>  <i>If the data subject is no longer a student at Cockermouth School, confirmation of identity will be required before any data are supplied. This can be a copy of a driving licence or passport, confirmation of personal details held by the school, or visual confirmation by a current member of staff who knows the student.</i></p> <p><b>Signature of 'Data Subject':</b> .....</p> <p><b>Name of 'Data Subject' (PRINTED):</b> .....</p> <p><b>Date:</b> .....</p>
<p><b>Please return completed form to:</b>  <b>Data Manager, Cockermouth School, Castlegate Drive, Cockermouth CA13 9HF</b></p>

## STUDENT CONSENT TO SHARE PERSONAL DATA WITH A THIRD PARTY



In accordance with the Data Protection Act 2018 / UK General Data Protection Regulation, Cockermouth School will seek consent from the relevant student (subject to Gillick competence) for any Subject Access Request made from third parties, including those with parental responsibility if relevant.

1   STUDENT DETAILS	
Full Name:	
Form Group:	Date of Birth:
Home Address:	

2   DETAILS OF REQUEST	
Name of Third Party:	
Address of Third Party:	
Type of Data Requested:	
Why Data is Needed:	
Date Request Received:	

3   STUDENT STATEMENT OF CONSENT	
<p>I understand why this request has been made, and hereby consent to the sharing of my school records (attendance, behaviour, progress, correspondence etc) and / or personal data, as detailed above in Section 2, to the person(s) named in Section 2.</p>	
<p><b>Student's Signature:</b> (or parent if child is under 13)</p>	<p><b>Date:</b></p>
<p>Please return this form to: Data Manager, Cockermouth School, Castlegate Drive, Cockermouth CA13 9HF</p>	

**Headteacher:**  
Mr R J King BSc

**Chair of Governors:**  
Mr A Ward

Cockermouth School · Castlegate Drive  
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