



# DATA PROTECTION POLICY

September 2020

## Little Ilford's duty / Aims

Little Ilford school collects and uses personal data about staff, pupils, parents/ and other individuals who come into contact with the school. This information is gathered to provide education and other associated functions. In addition, there may be a legal requirement to collect and use information to ensure that the school complies with its statutory obligations.

Schools have a duty to be registered, as Data Controllers, with the Information Commissioner's Office (ICO) detailing the information held and its use. Little Ilford School is a Data collector and is registered under the ICO. The registration is reviewed annually, in accordance with the legal requirements. These details are available on the ICO's website. Schools also have a duty to issue a Fair Processing Notice to all pupils/parents, this summarises the information held on pupils, why it is held and the other parties to whom it may be passed on to. We aim to collect, store and process the information in accordance with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA)

## Legislation and guidance

Our policy intends to ensure that personal data is dealt with correctly and securely and meets the necessary laws outlined within the DPA and the GDPR in compliance with the principles within Article 5 of the GDPR and the ICO. It will apply to information regardless of the way it is collected, used, recorded, stored and destroyed, and irrespective of whether it is held in paper files or electronically.

## Roles and responsibilities

In order for Little Ilford School to fall in line with the GDPR and DPA laws, it is at the forefront of the school's data protection policy to:

- Inform individuals why their information is being collected and when it is collected.
- To check the quality and accuracy of the information held by the school.
- Ensure the information is not retained for longer than necessary.
- Ensure that when information is out of date/ no longer in use the information is destroyed/disposed of appropriately and securely.

- Ensure that clear and robust safeguards are in place to protect personal data from loss, theft and unauthorised disclosure, irrespective of the format in which it is recorded.
- The school will share information with others only when it is legally appropriate to do so.
- Set out procedures to ensure compliance with the duty to respond to requests for access to personal information, known as a subject access request.
- Ensure all staff at Little Ilford School are aware of and understand our policies and procedures.

### **Data Protection Act principles**

The Data Protection Act 2018 establishes six enforceable principles that must be adhered to at all times:

1. The processing of personal data must be processed lawfully, fairly and in a transparent manner in relation to the data subject.
2. The law enforcement purpose for which personal data is collected on any occasion must be specified, explicit and legitimate, and personal data collected must not be processed in a manner that is incompatible with the purpose for which it was collected.
3. Personal data processed for any of the law enforcement purposes must be adequate, relevant and not excessive in relation to the purpose for which it is processed.
4. Personal data processed for any of the law enforcement purposes must be accurate and, where necessary, kept up to date, and every reasonable step must be taken to ensure that personal data that is inaccurate, having regard to the law enforcement purpose for which it is processed, is erased or rectified without delay.
5. Personal data processed for any of the law enforcement purposes must be kept for no longer than is necessary for the purpose for which it is processed.
6. Personal data processed for any of the law enforcement purposes must be so 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 measure.

### **Your rights**

Under the DPA, you have the right to find out what information the government and other organisations store about you. These include the right to:

- be informed about how your data is being used
- access personal data
- have incorrect data updated
- have data erased
- stop or restrict the processing of your data
- data portability (allowing you to get and reuse your data for different services)
- object to how your data is processed in certain circumstances

### **Attending meetings with staff**

It could be considered a criminal offence if conversations are recorded and shared without a member of Little Ilford school's knowledge. If you wish to record conversations as a record please ensure you gain the permission of the staff member who will be made aware.

**Please note that without the permission of the staff member conversations may not be recorded.**

### **The process of obtaining a subject request**

A subject access request gives you the right to retrieve a copy of your personal data as well as other supplementary information. If you wish to make a subject request this can be made in several ways, this can be done verbally, in writing and can be requested through social media (twitter: @LittleIlfordSch) . In order for the school to keep a record you will have to fill out a form before the process commences. A response from the school will be made within one calendar month.

As a parent you have a right to see the educational records of your child, however parents/guardians are only entitled to access the personal details held about their child if the child is unable to act on their own behalf, or if consent has been given by the child.

It is very important for us as a school to ensure that the information being requested is sent to the right person. We will ask for any party requesting information to provide us with evidence of your identity, this can be done by providing a copy of your;

- Passport
- Utility bill with your current address
- Driving licence
- Credit Card or Mortgage statement
- **This list is not exhaustive.**

If you would like a third party to act on your behalf to obtain a subject access request, it is the responsibility of the third party to provide evidence of this entitlement. This could be through written authority to make the request.

To obtain an educational record a potential cost may be imposed.

As a school, we would like you to fill out a subject access request form after the initial request has been made in order to gain as much information to aid us to provide you with all the information that has been requested. The form will be sent out along with a confirmation letter .

### **Responding to subject requests**

In accordance with the ICO's standard policy a subject access request will be dealt with one month from the day after in which the request was made.

- In most circumstances a charge for a subject access request cannot be made however, a reasonable fee can be made in cases where the request is manifestly unfounded or excessive.
- If the request is deemed as complex, we as the school have the right to ask for an additional two months to fulfil the request made.
- If any of the information requested is in the educational record, then the school should respond in 15 school days, this does not include school holidays.
- The DPA says that as a school we do not have to comply with a subject access request if it would mean disclosing information about another individual who can be

identified from the information, except if the other individual has consented to the disclosure or it is reasonable to comply without the individual's consent.

You are entitled to submit subject access requests all year round, but please bear in mind that it may be necessary for us to extend the response period when requests are submitted over the summer holidays. This is in accordance with article 12(3) of the GDPR, and will be the case where the request is complex – for example, where we need multiple staff to collect data.

### **Taking photos in schools**

- **Personal use;** Parents /guardians photographing and/or videoing the school play. Consent is needed.
- **Office school use;** photos or videos taken for use in school prospectus and on the website. Consent is needed from the person being videoed or photographed.
- **Media use:** Photos taken for a newspaper article. Consent is needed from the person being videoed or photographed

**If an image of a student is used, their name will not accompany it**

### **Updating personal details**

It is the parent/carer's responsibility to help the school maintain up to date records of your personal details. If at any point you change your number or move house please provide us with up to date details. If you have a new address , please bring proof of the change to reception in order for us to update the information on our system.

### **Training**

The school will provide GDPR training for all staff that come into contact with personal data. Staff will be advised on their responsibilities and the essential GDPR procedures.

### **Complaints**

Complaints regarding the way in which information is handled within the school may be referred to the Information Commissioner Office (ICO) <https://ico.org.uk/make-a-complaint/>

### **Disposal of records**

Any personal data collected from the school will be disposed of in accordance to the school's disposable schedule. All information that is no longer necessary to retain will be disposed of securely.

### **Data breaches**

If at any point you accidentally send out any sensitive, confidential or protected data to the wrong person, please as soon as possible inform Krystal Kani-Boateng in the main office and via email outline what occurred and the timings (kkaniboateng.316@littleilford.org) and cc Nazmul Islam.

### **Review**

The Data Protection Policy will be reviewed as it is deemed necessary, but no less frequently than every 2 years. This review will be done by the Head teacher or the Leadership support officer.

## **Data protection Officer**

Our data protection officer has the responsibility of upholding the law in relation to both the DPA and the GDPR and developing related policies and initiatives where applicable to the school. Our data protection officer : Data Compliance Service – The Education Space  
Francis House, 760 Barking Road, London, E13 9PJ

Our inhouse contact : Our leadership support officer is:

Krystal Kani-Boateng

Email: [Kkaniboateng.316@littlileilford.org](mailto:Kkaniboateng.316@littlileilford.org)

## **Websites for more information**

For further details on the Data Protection Act 2018 and the General Data Protection Regulation and the rights given to you by law, please visit these sites below:

How to access information from a public body: <https://ico.org.uk/your-data-matters/official-information/>

Your right to access - <https://ico.org.uk/your-data-matters/your-right-of-access/>

What is the Freedom of Information Act - <https://ico.org.uk/for-organisations/guide-to-freedom-of-information/what-is-the-foi-act/>

*Accessing pupils information* - <https://ico.org.uk/your-data-matters/schools/pupils-info/>