



Data Protection Policy

Chair of Governors: Alison Logan

Approved by:	Finance and Premises	Date:
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Last reviewed on:	17 th May 2023
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Next review due by:	May 2026
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Introduction

Usworth Colliery Primary School Data Protection Policy has been produced to ensure compliance with the Data Protection Act 2018 (the DPA 2018) the General Data Protection Regulation (GDPR) and all associated legislations.

The DPA 2018 gives individuals rights over their personal data and protects individuals from the erroneous use of their personal data.

Usworth Colliery Primary School is registered with the information commissioner's officer as the data controller for the purposes for the personal data its process about individuals.

Purpose

This policy is a requirement of the DPA 2018 and the GDPR. The policy outlines the our overall approach to its responsibilities and legal obligations as the 'Data controller' under the DPA 2018 and the GDPR.

Scope

This policy applies to all employees (including temporary, casual or agency staff) governors, contracts and consultants working for Usworth Colliery Primary School. It also applies to any service providers that we contract with who process personal information on behalf of the trust.

This policy also covers any staff who may be involved in research or other activity that requires them to process or have access to personal data, for instance as part of a research or as part of a professional practise activities. If this occurs, it is the responsibility of the trust to ensure the data is processed In accordance with the DPA 2018 and that students and staff are advised about their responsibilities.

Data covered by the policy

A detailed description of this definition is available from the ICO, however briefly, personal data is information relating to an individual where the structure of the data allows information to be accessed i.e., as part of a relevant filing system. This includes data held manually and electronically and data compiled, stored, or otherwise processed by us or by a third party on its behalf.

Special category data is personal data consisting of information relating to:

- Racial or ethnic origin
- Political opinions, religious beliefs, or other beliefs of a similar nature
- Membership of a trade union (within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992)
- Physical or mental health or condition
- Sexual life or sexual orientation
- Biometric data

The six data protection principles

The DPA 2018 requires the trust, including staff, governors and other individual who process personal information on behalf of the Usworth Colliery Primary School, we must comply with the six data protection principles.

- Be obtained and processed fairly and lawfully and shall not be processed unless certain conditions are met.
- Be obtained for a specified and lawful purpose and shall not be processed in any manner incompatible with that purpose.
- Be limited to only what is required for the purposes for which it is being collected.
- Be accurate and kept up to date.
- Not be kept for longer than is necessary for those purpose.
- Be kept safe from unauthorised or unlawful processing and against accidental loss, destruction, or damage.

Responsibilities

Usworth Colliery Primary School has an appointed Data Protection Officer to.

- Inform and advise the school and its employees about their obligations to comply with the GDPR and other data protection laws.
- Monitor the trust compliance with the GDPR and other laws, including managing internal data protection activities, advising on data protection impact assessments, conducting internal audits and providing the required training to staff members.
- The DPO reports to the highest level of management at the school, which is the ?
- Our data protection officer is provided by ADNS Group and can be contacted at the following address:

Scott Thornhill

5 Eggleston Court, Riverside Park

Middlesbrough

TS2 1RU

Tel No: 01642 248750

Email: compliance@adnsgroup.com

All new members of staff will be required to complete a mandatory information governance module as part of their induction and existing staff will be requested to undertake refresher training on a regular/annual basis.

Employees within Usworth Colliery Primary School are expected to:

- Familiarise themselves and comply with the six data protection principles
- Ensure any possession of personal data is accurate and up to date
- Ensure their own personal information is accurate and up to date
- Keep personal data for no longer than is necessary.
- Ensure that any personal data they process is secure and in compliance with the trusts information related policies and strategies.
- Acknowledge data subjects' rights (e.g right of access to all their personal data held by Usworth Colliery Primary School under the DPA 2018, and comply with access to records.
- Ensure personal data is only used for those specified purposes and is not unlawfully used for any other business that does not concern the trust.
- Obtain consent with collecting, sharing, or disclosing personal data.
- Contact the DPO at compliance@adnsgroup.com if they require advice or guidance, need to report data protection breach, or have any concerns relating to the processing of personal data under the DPA 2018.

Obtaining, disclosing, and sharing

Only personal data that is necessary for a specific school reason should be obtained.

Parents are informed about how their child's data will be processed when they sign the permissions form upon registration.

Upon acceptance of employment within the our members of staff also consent to the processing and storage of their data.

Data must be collected and stored In a secure manner.

Personal information must not be disclosed to a third-party organisation without prior consent of the individual concerned unless the disclosure is legally required or permitted. This also includes information that would confirm whether an individual is or has been an applicant, student, or employee of Usworth Colliery Primary School.

Usworth Colliery Primary School may have a duty to disclose personal information to comply with legal or statutory obligation. The DPA 2018 may permit the school to share data without consent or without informing individuals in accordance with the right to be informed:

1. With the police and law enforcement bodies where it is considered necessary for the prevention and detection of crime.
2. Where the information may be necessary under enactment, for the purposes of legal proceedings and or for exercising of defending legal rights.
3. Where the processing is necessary because it is a task carried out for in the public interest, for example sharing information with the local authority, for example safeguarding and child protection.

All requests from third party organisations seeking access, to personal data held by Usworth Colliery Primary School should be directed to the Paula Thomson at info@usworthcolliery.co.uk and the Data Protection Officer at compliance@adnsgroup.com. Usworth Colliery Primary School will keep a record of all requests received from third party organisations. This information may be requested by the DPO or the information commissioner at any time to comply and actively evidence compliance, with data subject rights.

Personal information that is shared with third parties on a more regular basis shall be carried out under written agreement to stipulate the purview and boundaries of sharing. For circumstances where personal information would need to be shared in the case of ad hoc arrangements, sharing shall be undertaken in compliance with the DPA 2018.

Retention, security, and disposal

Recipients responsible for the processing and management of personal data need to ensure that the data is accurate and up to date. If an employee, student, or applicant is dissatisfied with the accuracy of their personal data, then they must inform Paula Thomson at info@usworthcolliery.co.uk

Personal information held in paper and electronic format shall not be retained for longer than is necessary. In accordance with data protection principles of the DPA 2018, personal information shall be collected and retained only for school, regulatory or legal purposes.

In accordance with the provisions of the DPA 2018, all staff whose work involves processing personal data, whether in electronic or paper format must take personal responsibility for its secure storage and ensure appropriate measures are in place to prevent accidental loss or destruction of or damage to personal data.

Staff working from home will be responsible for ensuring that personal data is stored securely and is not accessible to others.

All departments should ensure that data is destroyed in accordance with the retention schedule when its no longer required.

Personal data in paper format must be shredded. Personal data in electronic format should be deleted. Hardware should be appropriately degaussed in compliance with you IT service provider contract to ensure the data held on the external device is screened, reviewed before being degaussed and securely destroyed.

Transferring personal data

Any transfer of personal data must be done securely in line with Usworth Colliery Primary School online safety policy and acceptable user agreement.

Email communication is not always secure and sending personal data via external email should be avoided unless it is encrypted with a password provided to the recipient by separate means such as via telephone.

Care should be taken to ensure emails containing personal data are not sent to unintended recipients. It is important that emails are addressed correctly, and care is taken when using reply all or forwarding or copying others into emails. Use of the blind copy facility should be considered when sending an email to multiple recipients to avoid disclosing personal information to others.

Personal email accounts should not be used to send or receive personal data for work purpose.

Data subjects (subject access requests)

Under the DPA 2018, individuals (staff, pupils' parents and governors and students etc) have the following rights...

- Access to personal information processed by Usworth Colliery Primary School
- Object to processing of personal data that is likely to cause, or is causing, damage or distress.
- Prevent processing for direct marketing.
- Object to decisions being taken by automated means.
- In certain circumstances have inaccurate or incomplete personal data rectified, blocked, restricted, erased or destroyed.
- Claim compensation for damages caused by a breach of the Data Protection regulations.

Individuals can make a 'subject access request' to any member of school staff, verbally or in writing to request access to personal information the trust holds about them, subject to any exemptions or restrictions that may apply.

The school shall use its discretion under the DPA 2018 to encourage informal access at a local level to a data subjects' personal information, but the trusts formal procedure for the processing of subject access requests must be followed to comply with the DPA 2018.

Any individual who wishes to exercise their right of access can do so verbally or in writing. There is no legal requirement to ask the requester to keep our subject access request form, but it may ask the requester to do so. A copy of our subject access request form is available in appendix one of this document or by contacting Usworth Colliery Primary School.

Usworth Colliery Primary School may not charge a fee. It will only release any information upon receipt of the completed subject access request form, along with proof of identity or proof of authorisation where requests are made on the behalf of a data subject by a third party. The requested information will be provided within the statutory timescale of 1 month from receipt of the completed form.

For details of your other rights please see your information, your rights in appendix two of this document.

Reporting a data security breach

It is important that the trust responds to a data security breach quickly and effectively. A breach may arise from a theft, a deliberate attack on our systems, unauthorised use of personal data, accidental loss, or equipment failure. Any data breach should be reported us. The lead investigation officer will then inform the Data Protection Officer, and if it relates to an IT incident (including information security) in certain circumstances it should also be reported to your IT provider.

This policy applies to all staff and pupils and contractors within the school. This includes teaching students, temporary, casual, agency staff, suppliers and data processors working for or on behalf of Usworth Colliery Primary School

Any breach will be investigated in line with the procedures within the Data breach policy. In accordance with that policy, Usworth Colliery Primary School will treat any breach as a serious issue.

Each incident will be investigated and judged on its individual circumstances and addressed accordingly.

If a breach occurs or is discovered outside normal working hour, it must be reported to the trust as soon as practicable. Note: Usworth Colliery Primary School must report data breaches that result, or are likely to result, in high-risk rights and freedoms of individuals to the information commissioner with the undue delay and in any event within 72 hours.

Usworth Colliery Primary School will complete a data breach report that shall include the facts relating to the breach, its effect on individuals, the action taken by Usworth Colliery Primary School to mitigate any risk. The report must include full and accurate details of the incident, when the breach occurred (dates and times) who is reporting it, if the data relates to people, the nature of the information and how many people are involved.

CCTV System

Usworth Colliery Primary School have operational CCTV with cameras located externally within the building. Images captured by the CCTV system are necessary for the prevention and detection of crime, and site security. Usworth Colliery Primary School has a CCTV policy governing the details, the purposes, use and management of the CCTV system. Usworth Colliery Primary School has implemented procedures that must be followed to ensure that the trust complies with data protection, human rights and statutory codes of practise published by the information commissioner.

All personal data captured on the CCTV system will only be processed in accordance with the Data protection act 2018, the General Data Protection Regulation (GDPR) and any subsequent data protection legislation and to the freedom of information act 2000, the Protection of freedoms act 2012 and the Human rights act 1998.

Although not a relevant authority, Usworth Colliery Primary School will also have due regard to the surveillance camera code of practise, issued under the protection of freedoms Act 2012 and the 12 guiding principles contained therein.

This policy was adopted by:

In:

Signed:

Name of signatory:

Role of signatory:

Reviewed by:

To be next reviewed by:
