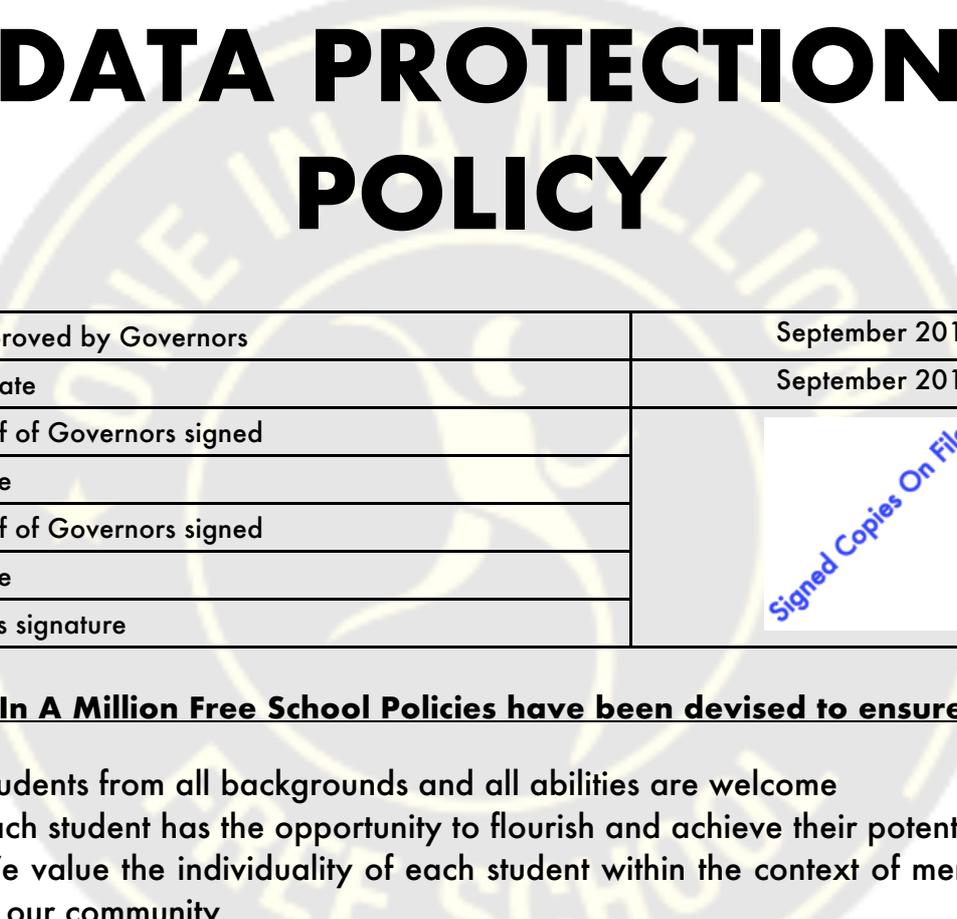




DATA PROTECTION POLICY

Date Approved by Governors	September 2017
Review Date	September 2019
On behalf of Governors signed	 Signed Copies On File
Print name	
On behalf of Governors signed	
Print name	
Principal's signature	

All One In A Million Free School Policies have been devised to ensure that:

- Students from all backgrounds and all abilities are welcome
- Each student has the opportunity to flourish and achieve their potential
- We value the individuality of each student within the context of membership of our community
- We are committed to raising educational attainment and improving our students' life chances
- We provide an environment in which all students will be self aware, self disciplined and confident
- All students will understand how to make a positive contribution to our extended community
- We support academic, creative and personal achievement through our focus on Sport, the Arts and Enterprise



Data Protection Policy for Students

General

The governing body is aware of its responsibilities under the legislation on data protection and will fulfil those responsibilities for staff and students.

Definitions

Processing: This means obtaining, recording or holding the information or data or carrying out any set of operations on the information or data.

Data Subject: This is an individual who is the subject of personal data or the person to whom the information relates.

Personal Data: This is data, which relates to a living individual who can be identified. Addresses and telephone numbers are particularly vulnerable to abuse, along with names and photographs if published in the press, Internet or media.

All material that contains information or comments about a student, however ephemeral, is data for the purposes of the legislation. This includes memos, notes, student records, CCTV footage, and emails that hold 'information' about a student.

Parent: "parent" has the meaning given in the Education Act 1996, and includes any person having parental responsibility or care of a child.

Fundamental Principles

Students and their parents/carers are entitled to know what personal data is held by the One in a Million Free School (OIAMFS) about the student (and/or about the parent(s)).

Obtaining and Collection of Data

Data will only be collected and retained for specific purposes and it will only be used for those purposes unless permission to use it for another purpose is sought from and given by the data subject.



Data Adequacy and Relevance

Data held about people will be adequate, relevant and not excessive in relation to the purpose for which the data is being held. In order to ensure compliance with this principle, OIAMFS will check records regularly for missing, irrelevant or seemingly excessive information and may contact data subjects to verify certain items of data.

Data Accuracy

Data held will be as accurate and up to date as is reasonably possible. If a data subject informs OIAMFS of a change of circumstances their computer record will be updated as soon as is practicable. A printout of their data record will be provided to data subjects every twelve months so they can check its accuracy and make any amendments.

Where a data subject challenges the accuracy of their data, OIAMFS will immediately mark the record as potentially inaccurate, or "challenged". In the case of any dispute, we shall try to resolve the issue informally, but if this proves impossible, disputes will be referred to the Governing Body for their judgement. If the problem cannot be resolved at this stage, either side may seek independent arbitration. Until resolved the "challenged" marker will remain and all disclosures of the affected information will contain both versions of the information.

Data Retention

Data will not be kept for longer than necessary for the purposes registered. It is the duty of all staff to ensure that obsolete data is not held and is properly erased.

Data will be stored and retained in line with the Information and Records Management Society guidelines.

www.irms.org.uk

Current guideline document is -

Records Management Toolkit for Schools - Version 4 - May 2012

Table is shown in Appendix I.



Responsible person

The Principal is the 'Data Controller' for OIAMFS and is therefore responsible for:

- implementing any policies issued by the governing body regarding data protection
- ensuring safe and confidential systems are in place in OIAMFS
- providing information to bodies entitled to receive information
- providing relevant information about a student's progress to his/her parents/carers

Security

- the Principal will take the necessary precautions to ensure that both electronic and manual files are secure at all times
- appropriate computer security and password management techniques will be implemented and observed
- all IT users will be asked to read and sign saying they have understood the OIAMFS ICT Policy
- no manual or electronic files will be taken off the premises except in an emergency, or when expressly authorised by the Principal (or chair of the governing body). This includes information held on personal computers, and portable computing devices, including mobile phones and memory sticks. This list is not inclusive.
- all material taken off site must be carefully secured and not shared with anyone other than OIAMFS colleagues, this includes email. Additional instructions regarding this will be issued from time to time
- OIAMFS will not disclose any information, which could not be disclosed to the student him/herself under the data protection legislation for computer access, staff or volunteers will have to undergo checks and will sign a confidentiality agreement. They will be trained in Data Protection obligations and their knowledge updated as necessary. Computer printouts as well as source documents will be shredded and securely disposed of
- no data will be held or sent to any country outside of the European Economic Area

Equal opportunities monitoring

Information on students is periodically required by the government or local authorities.



This is sensitive personal data, and the information will be kept to a minimum, and as far as possible in an anonymous form.

Specific Issues

Members of staff are agents of OIAMFS and information on students created, collected and retained by them in records and/or mark books is data for the purposes of this policy and is not confidential to the teacher concerned.

Child Protection

Particular attention must be paid to information relating to information relating to Child Protection. Only the Principal and staff authorised by the Principal may have access to this data however held.

Marketing material

No information about students will be provided to any other organisation especially marketing companies, unless the person(s) concerned have given explicit permission. The only exception to this would be a reasonable request from the police, where in most cases parental permission will be sought.

Requests for information

Summary

OIAMFS will provide information to persons and bodies prescribed by legislation.

OIAMFS will provide on request by a parent/carer any information about their child that is kept on file except where it is impossible to redact information about other students.

The Principal will determine what confidential information will be released to relevant persons permitted to receive this information by law.

No information will be released to third parties except as required by law or where express permission has been granted by the data subject.



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All requests for information about students must go to the Principal, who will determine whether it is lawful and appropriate to release the information.

Members of staff who receive requests for references or other information about current or past students at the school must inform the Principal.

OIAMFS will only disclose data about individuals with their consent. However there are circumstances under which the OIAMFS (and then only by an authorised officer) may need to disclose data without explicit consent.

These circumstances are strictly limited to:

- Student data disclosed to authorised recipients related to education and administration necessary for the school to perform its statutory duties and obligations
- Student data disclosed to authorised recipients in respect of a student's health, safety and welfare
- Student data disclosed to parents in respect of their child's progress, achievements, attendance, attitude or general demeanour within or in the vicinity of OIAMFS
- Unavoidable disclosures, for example during the maintenance of the computer system. In such circumstances anyone with access to data would be required to sign a form promising not to disclose the data outside the school

Only authorised and trained staff are allowed to make external disclosures of personal data. Data used within OIAMFS by administrative staff, teachers and welfare officers will only be made available where the person requesting the information is a professional legitimately working within OIAMFS who need to know the information in order to do their work.

OIAMFS will not disclose anything on student records which would be likely to cause serious harm to their physical or mental health or that of anyone else – including anything which suggests that they are, or have been, either the subject of or at risk of child abuse.

A "legal disclosure" is the release of personal information to someone who requires the information to do his or her job within or for OIAMFS, provided that the purpose of that information has been registered.



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An “illegal disclosure” is the release of information to someone who does not need it, or has no right to it, or one which falls outside the OIAMFS’s registered purposes.

Monitoring the use of electronic communications

OIAMFS aims not to intrude into the private lives of students but reserves the right to monitor the use of school computers, video and audio machines, phones and fax machines by students (and staff) and will keep appropriate records, which can be accessed by students (and staff) on request to the Principal. OIAMFS will use its powers under the Freedom of Information Bill to confiscate and search electronic equipment brought into OIAMFS by students where it reasonably believes that this is necessary for the protection of other individuals or the detection or prevention of offences. It will also use its powers under the Act to delete any material that it believes will be harmful. In doing so, it will have regard to any guidance issued by the Secretary of State.

Monitoring, Evaluation And Review

The Governing Body will review and amend this policy and procedure at least every two years or as required by:

- changes in legislation
- changes in guidelines from advisory bodies
- the effectiveness of the policy

Review of this policy

The full governing body delegate the reviewing of this policy to its Finance Working Group. They will review this policy every two years. It may however review this policy earlier than this if the government produces new regulations, or if it receives recommendations on how this policy might be improved.



Appendix I

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