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Mylor Bridge School
Data Protection Policy

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1. INTRODUCTION

The Local Governing Body in each school has overall responsibility for ensuring that records are maintained, including security and access arrangements, in accordance with Education Regulations and all other statutory provisions. The school secretary is the Data Protection Officer for Mylor Bridge School – supported by the local authority.

The school intends to comply fully with the requirements and principles of the Data Protection Act 2018

This policy applies to all personal data held by the school. It encompasses paper records; data held on computer and associated equipment of whatever type and at whatever location used by or on behalf of the school.

This policy applies to all those who have access to personal data, whether employees, governors (or other public representatives), employees of associated organisations or volunteers. It includes those who work at home or from home, who must follow the same procedures as they would in an office environment.

2. DEFINITIONS

Within this policy reference is made to certain terms that are explained below:

- **Data Subject** – an individual who is the subject of the personal data or the person to whom the information relates;
- **Processing** – obtaining, recording or holding the information or data;
- **Personal Data** – data which relates to a living individual who is identifiable;

3. MANAGING DATA AND DATA QUALITY

3.1 Fair Collection and Processing

The school takes its responsibility for collecting and using personal data very seriously and undertakes to do so both fairly and lawfully by informing all data subjects of the reasons for data collection, the purposes for which the data are held, the likely recipients of the data and the data subjects' right of access. Wherever possible, information about the use of personal data is printed on the appropriate collection form. If details are given verbally, the person collecting the data will explain the details before obtaining the information.

3.2 Registered Purpose

The Data Protection Registration entries for the school are available for inspection, by appointment at the School Office. (Addresses and contact details can be found under point 5 of this policy).

Explanation of any codes and categories entered is available from the school secretary or head teacher.

3.3 Data Integrity

The school undertakes to ensure data integrity by the following methods:

Data accuracy

Data will be as accurate and up to date as is reasonably possible. If a data subject informs the school of a change of circumstances their record will be updated as soon as is practicable.

Where a data subject challenges the accuracy of their data, the school will immediately mark the record as potentially inaccurate or 'challenged'. In the case of any dispute, the school will try to resolve the issue informally, but if this proves impossible, disputes will be referred to the Local Governing Board 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 adequacy and relevance
Data held about people will be adequate, relevant and not excessive in relation to the purpose for which data is being held. In order to ensure compliance with this principle, the school will check records regularly for missing, irrelevant or seemingly excessive information and may contact data subjects to verify certain items of data.

Length of time
Data held about individuals will not be kept for longer than necessary for the purposes registered. It is the duty of the school office staff to ensure that obsolete data is properly erased.

Authorised disclosures

The school will process data which may include sharing data internally and externally for specific purposes set out below. In other circumstances the school will only share data outside of the school where consent has been given.

These circumstances are strictly limited to:

- Pupil data disclosed to authorised recipients related to education and administration necessary for the school to perform its statutory duties and obligations;
- Pupil data disclosed to authorised recipients in respect of their child's health, safety and welfare;
- Pupil data disclosed to parents in respect of their child's progress, achievements, attendance, attitude or general demeanour within or in the vicinity of the academy;
- Staff data disclosed to relevant authorities e.g. in respect of payroll and administrative matters;
- Unavoidable disclosures, for example to an engineer during maintenance of a computer system. In such circumstances the engineer 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 the school by administrative staff, teachers and welfare officers will only be made available where the person requesting the information is a professional legitimately working within the school who ***needs to know*** the information in order to do their work. The school will not disclose anything on pupils' records which would be likely to cause serious harm to their physical or mental health or that of anyone else – including anything where suggestions that they are, or have been, either the subject of or at risk of child abuse.

Websites and social media
On school websites or social media, we will ensure not to publish personal information (including images) without permission from the individual concerned. Access to websites and social media will be monitored by the school on a regular basis.

CCTV
Images of people are covered by the Data Protection Act, and so is information about people which is derived from images – for example, vehicle registration numbers.

Biometric Data
Mylor Bridge School does not use or keep any biometric data on pupils.

Privacy Notices
All stakeholders agree to GDPR privacy notices, details of which can be found in our GDPR Privacy Notices Information, on the school website.

3.4 Data and computer security

The school undertakes to ensure security of personal data by the following general methods such as –

Physical security

Appropriate building security measures are in place on school site, such as alarms, window bars, deadlocks and computer hardware cable locks. Only authorised persons are allowed access to personal files. Information will be locked away securely when not in use. Visitors to the school are required to sign in and out, to wear identification badges whilst in the academy and are, where appropriate, accompanied.

Logical security

Security software including firewalls are installed on all computers containing personal data and are updated on a regular basis. Where needed, mobile devices, including phones, memory sticks and laptops are also encrypted. Only authorised users are allowed access to the computer files. Security copies of computer files are taken regularly. Access to computer systems are password controlled, and these passwords are changed regularly. Passwords are not shared with another person and are unique to the user.

3.5 Procedural Security

All staff are trained in their Data Protection obligations and their knowledge updated as necessary. Computer printouts as well as source documents are shredded before disposal.

Overall security for data is determined by the Headteacher and is monitored and reviewed regularly, especially if a security breach becomes apparent.

Any queries or concerns about security of data should in the first instance be referred to the office staff at school.

4. PROCESSING A SUBJECT ACCESS REQUEST

Pupils have a right of access under the Data Protection Act 1998 to their own information. This is known as the right of subject access. When a child cannot act for themselves due to lack of capacity* for example or the child gives explicit permission, parents will be able to access this information on their behalf.

*With children, this is dependent upon their capacity to understand (normally age 12 or above) and the nature of the request. The Headteacher should

discuss the request with the child and take their view into account when making a decision.

As a parent, what sort of information can I access?
You have a right to access your child's educational record. This covers information that comes from a teacher or other employee of a local authority, academy or school, the pupil or you as a parent, and is processed by or for the school's governing body or teacher, except for information the teacher has solely for their own use. So it will cover information such as the records of the pupil's academic achievements as well as correspondence from teachers, local education authority employees and educational psychologists engaged by the school's governing body. It may also include information from the child and from you, as a parent. Information provided by the parent of another child would not form part of a child's educational record.

As a parent, how can I access my child's educational record?
By making a request in writing to the school's local Governing Body. You can use the form at the end of this policy or you can contact the academy to request a copy is sent to you. Alternatively, you can submit your request in a letter format provided you include all the information requested on the template.

How long should this take?
A request for an educational record must receive a response within 15 school days.

How much will it cost?
The school can charge what it costs to supply a copy of the information. Full guidance on charging can be obtained from the Information Commissioners Office and the school may refer to that guidance on a case by case basis to ensure it is charging in accordance with the Regulations.

As a parent, when can I request other information about my child? You will be able to access all the information about your child if your child is unable to act on their own behalf or gives their permission. As a general guide, a child of 12 or older is expected to be mature enough to make this kind of request.

As a parent, are there circumstances where I could be denied access to my child's educational record?
There are certain circumstances where the school can withhold an educational record, for example, where the information might cause

serious harm to the physical or mental health of the pupil or another individual.

As a pupil, what rights do I have to access my information?

You have (or someone acting on your behalf has) the right to a copy of your own information. This is known as the right of subject access. However, schools may withhold information in certain circumstances, such as where serious harm may be caused to your physical or mental health or another individual, or where the request is for an exam script or for exam marks before they are officially announced.

What if the information you want involves information about another person?

Information about another person may not always be available to you. Unless the other person gives their permission, or it is reasonable in the circumstances to provide the information without permission, the school will be entitled to withhold this information.

5. Enquiries and further information

For further information and requests please contact the school office as follows: secretary@mylor-bridge.cornwall.sch.uk