



**ST. JOSEPH'S**

**CATHOLIC PRIMARY AND NURSERY SCHOOL**  
'LEARNING TO LOVE, LOVING TO LEARN'

## ST JOSEPH'S CATHOLIC PRIMARY SCHOOL

### DATA PROTECTION POLICY

#### **Mission Statement**

St Joseph's vision is that together we are the architects of the future, building lives on the firm foundations of the gospel.

Inspired by Christian values we aim to provide love and security within a curriculum designed to meet the complex needs of all individuals, in order to prepare them to take their place in the ever changing world of today and tomorrow.

St Joseph's Catholic Primary School collects and uses personal information about staff, pupils, parents and other individuals who come into contact with the school. This information is gathered in order to enable it 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. These details are then 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.

#### **Purpose**

Our school aims to ensure that all personal data collected about staff, pupils, parents, governors, visitors and other individuals is collected, stored and processed in accordance with the [General Data Protection Regulation \(GDPR\)](#) and the expected provisions of the Data Protection Act 2018 (DPA 2018) as set out in the [Data Protection Bill](#).

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. Data formats include but are not restricted to: E-mail, Graphic images, Web pages, MS office documents, Software source code, Videos, webcasts, weblogs, Scanned images, Desktop publishing software, PDF, Papers, Legacy paper files, social media.

All staff involved with the collection, processing and disclosure of personal data will be aware of their duties and responsibilities by adhering to these guidelines.

## **Governing Body**

The Governing Body has overall responsibility for ensuring that our school complies with all relevant data protection obligations.

## **Data protection officer**

The data protection officer (DPO) is responsible for overseeing the implementation of this policy, monitoring our compliance with data protection law, and developing related policies and guidelines where applicable.

They will provide an annual report of their activities directly to the Governing Body and, where relevant, report to the board their advice and recommendations on school data protection issues.

The DPO is also the first point of contact for individuals whose data the school processes, and for the ICO.

Our interim DPO is Gary Hipple and is contactable via [ghipple@wandsworth.gov.uk](mailto:ghipple@wandsworth.gov.uk)

## **Data protection principles**

The GDPR is based on data protection principles that our school must comply with.

The principles say that personal data must be:

- Processed lawfully, fairly and in a transparent manner
- Collected for specified, explicit and legitimate purposes
- Adequate, relevant and limited to what is necessary to fulfil the purposes for which it is processed
- Accurate and, where necessary, kept up to date
- Kept for no longer than is necessary for the purposes for which it is processed

Processed in a way that ensures it is appropriately secure

## **What is Personal Information?**

Personal information or data is defined as data which relates to a living individual who can be identified from that data, or other information held.

## **Personal Data**

Personal data is any information which relates to a living individual who can be identified from that data either by itself or alongside any other information we hold (for example, name, address, date of birth, etc). It also includes any expression of opinion about that individual and any indication of any intentions we have in respect of that individual and it also applies to personal data held visually in photographs or video clips (including CCTV) or as sound recordings.

Personal data can also be 'sensitive' as defined by the Act such as information about your racial or ethnic origin, religious beliefs, physical or mental health or condition. We can only collect and hold this information for specific purposes (for example equal opportunities monitoring).

We are obligated to notify the Information Commissioner, who regulates the Data Protection Act, that information about individuals is being collected, processed and held. We are also obligated to follow the eight principles set out in the Act.

## Collecting personal data

We will only process personal data where we have one of 6 'lawful bases' (legal reasons) to do so under data protection law:

- The data needs to be processed so that the school can **fulfil a contract** with the individual, or the individual has asked the school to take specific steps before entering into a contract
- The data needs to be processed so that the school can **comply with a legal obligation**
- The data needs to be processed to ensure the **vital interests** of the individual e.g. to protect someone's life
- The data needs to be processed so that the school, as a public authority, can perform a task **in the public interest**, and carry out its official functions
- The data needs to be processed for the **legitimate interests** of the school or a third party (provided the individual's rights and freedoms are not overridden)
- The individual (or their parent/carer when appropriate in the case of a pupil) has freely given clear **consent**

For special categories of personal data, we will also meet one of the special category conditions for processing which are set out in the GDPR and Data Protection Act 2018.

We will only collect personal data for specified, explicit and legitimate reasons. We will explain these reasons to the individuals when we first collect their data.

If we want to use personal data for reasons other than those given when we first obtained it, we will inform the individuals concerned before we do so, and seek consent where necessary.

Staff must only process personal data where it is necessary in order to do their jobs.

When staff no longer need the personal data they hold, they must ensure it is disposed of securely.

## Sharing personal data

We will not normally share personal data with anyone else, but may do so where:

- There is an issue with a pupil or parent/carer that puts the safety of our staff at risk
- We need to liaise with other agencies – we will seek consent as necessary before doing this
- Our suppliers or contractors need data to enable us to provide services to our staff and pupils – for example, IT companies. When doing this, we will:
  - Only appoint suppliers or contractors which can provide sufficient guarantees that they comply with data protection law
  - Establish a data sharing agreement with the supplier or contractor, either in the contract or as a standalone agreement, to ensure the fair and lawful processing of any personal data we share
  - Only share data that the supplier or contractor needs to carry out their service, and information necessary to keep them safe while working with us
- We will also share personal data with law enforcement and government bodies where we are legally required to do so (e.g. in connection with legal proceedings, for safeguarding reasons or for the prevention or detection of crime and/or fraud)

- We may also share personal data with emergency services and local authorities to help them to respond to an emergency situation that affects any of our pupils or staff.

### **Requesting Personal Data**

To request access to personal data that the school may hold about you, a Subject Access Form can be completed and posted to us.

The person who the personal data is about is known as the data subject and the person who is making the request is known as the applicant. These can of course be the same person depending on the personal data sought. A common example of this relationship would be when a parent (applicant) is seeking personal information about their child (data subject).

Parents can request personal data about their child if the child concerned is under 12 years of age (however consent may still be required in some circumstances). There may also be occasions where you are legally allowed to act on behalf of someone else (for example power of attorney).

A form can be requested from the school office.

To protect your personal information, we will also require copies of two forms of identification and these should be:

- one piece of photographic identification, such as a valid passport, valid driving license or a valid EU national identity card.
- one piece of identification confirming your address and dated within the last three months such as a utility bill, council tax statement or bank statement.

If you do not want to post your application, you may book an appointment with a member of the office staff, who will accept your application and validate your identification. Whilst we may be able to confirm your identification in person we will always require proof of address to ensure that any data that we release is sent to the correct address.

Remember that if you are applying on someone else's behalf, you must also enclose either their signed, written consent, or proof that you are legally entitled to act on their behalf.

Please note that in some exceptional circumstances (for example the type and volume of manual files requested) there may be a fee and we will advise you if this is the case.

Following receipt of your written request, identification, you will receive a response within 20 days. However if we do not have enough information required to perform a search we will contact you and ask for more details (The 20 day period of response will begin from the day we receive sufficient information to enable a search and exclude school holidays).

### **Disclosing information**

The information that you can expect to receive from us will usually be a copy in whatever format we hold it in.

Depending on what information has been requested we will explain any jargon or abbreviations, provide a summary sheet detailing what we have used the information for, and what information we have withheld and why (if applicable).

There are some instances where we may not be able to release some of the information we hold about you to you such as:

- personal information about other people (including family members), unless we receive their consent.

- information provided by another person, such as a health visitor or the police, unless we receive their permission to do so
- information contained in adoption and parental order records
- legal advice provided by a legal professional.
- information that would prejudice the prevention / detection of crime

In some exceptional circumstances we may also withhold information about you if we think that it might cause you, or another individual, serious harm or severe distress.

Occasionally your records may contain elements that it would not be appropriate for you to see (for example personal information about other individuals). Rather than withhold the whole record or document, we will redact or remove those sections, if we can, to make them anonymous.

Individuals also have the right to:

- Withdraw their consent to processing at any time
- Ask us to rectify, erase or restrict processing of their personal data, or object to the processing of it (in certain circumstances)
- Prevent use of their personal data for direct marketing
- Prevent processing that is likely to cause damage or distress
- Be notified of a data breach in certain circumstances
- Make a complaint to the ICO

### **Education Records**

Parents, or those with parental responsibility, have a legal right to free access to their child's educational record.

An educational record will primarily consist of information that comes from a member of school staff, the pupil or their parents (such as details of achievement and attainment, end of year reports, assessments and reports from outside agencies such as an educational psychologist). Information kept by a teacher solely for their own use does not form part of the official educational record.

To access your child's school records, you should submit your request in writing to the Head teacher, Miss Cashier. We have a requirement to respond within 20 school days.

### **CCTV**

We use CCTV in corridors, playgrounds and paths around the school site to ensure it remains safe. We will adhere to the ICO's [code of practice](#) for the use of CCTV. Security cameras are clearly visible and accompanied by prominent signs explaining that CCTV is in use.

### **Photographs and videos**

As part of our school activities, we may take photographs and record images of individuals within our school. We obtain written consent from parents/carers for photographs and videos to be taken of their child for communication, marketing and promotional materials. We will clearly explain how the photograph and/or video will be used to both the parent/carer and pupil.

Uses may include:

- Within school on notice boards and in brochures, newsletters, etc.
- Within school in learning journeys or in exercise books
- Outside of school by external agencies such as the school photographer, newspapers
- Online on our school website or social media pages

Consent can be refused or withdrawn at any time. If consent is withdrawn, we will delete the photograph or video and not distribute it further.

When using photographs and videos in this way we will not accompany them with any other personal information about the child, to ensure they cannot be identified.

### **General Statement**

The school is committed to maintaining the above principles at all times. Therefore the school will:

- Inform individuals why the information is being collected when it is collected
- Inform individuals when their information is shared, and why and with whom it was shared
- Check the quality and the accuracy of the information it holds
- Ensure that information is not retained for longer than is necessary
- Ensure that when obsolete information is destroyed that it is done so appropriately and securely
- Ensure that clear and robust safeguards are in place to protect personal information from loss, theft and unauthorised disclosure, irrespective of the format in which it is recorded
- 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 Subject Access Requests
- Ensure our staff are aware of and understand our policies and procedures
- Use best endeavours to delete electronic information in line with Wandsworth procedures

### **Personal data breaches**

The school will make all reasonable endeavours to ensure that there are no personal data breaches. In the unlikely event of finding or causing a breach, or potential breach, the staff member or data processor must immediately notify the DPO and contact the ICO within 72 hours of the breach being identified. The DPO will investigate the report, and determine whether a breach has occurred.

### **Complaints**

Complaints will be dealt with in accordance with the school's complaints policy. Complaints relating to information handling may be referred to the Information Commissioner (the statutory regulator).

Further advice and information is available from the Information Commissioner's Office, [www.ico.gov.uk](http://www.ico.gov.uk)

Please also refer to the Freedom of Information Policy in conjunction with this policy.

**POLICY REVIEW TERM: ANNUAL**

**Policy reviewed:** May 2018

**Next review:** May 2019