



# Ash Manor School

## Data Protection Policy

<b>Governors' Committee Responsible:</b>	Resources
<b>Nominated Lead Member of Staff:</b>	School Business Manager
<b>Status &amp; Review Cycle:</b>	Statutory 1 year
<b>Next Review Date:</b>	June 2022
<b>Document Version Control:</b>	
V1.0 June 2021	

## **Introduction and Purpose of Policy**

The purpose of this policy is to provide information about Ash Manor Schools approach to collecting and using personal data in the course of our day-to-day work as well as the rights available to those whose data we hold.

It applies to personal data we collect both as an employer and as an education provider, such as that contained within student and staff records as well as information we hold on parents, governors, volunteers, visitors and other individuals with whom we interact.

## **Policy Statement**

The School and Governing Body is committed to ensuring that personal data is collected and used in a way which is transparent, clearly understood and meets minimum legal requirements and best practice guidance. We recognise the need for individuals to feel confident that their data will be used only for the purposes that they have been made aware of, and that it is stored securely and for no longer than is necessary. As part of this commitment, we want to ensure that individuals understand the rights available to them if they want to question or raise concerns about the way their data is being processed. The School has appointed a Data Protection Officer whose role is to monitor internal compliance, including with this policy, to inform and advise on data protection obligations and act as a contact point for individuals and the Information Commissioner's Office.

## **Definitions and Principles**

Certain terms are referred to in this policy which are explained below:

- Personal data: this refers to any information relating to an identifiable person who can be directly or indirectly identified. It may be held in either paper or electronic records.
- Processing data: this refers to anything we might do with personal data, such as holding it, using it, storing it or destroying it.
- Special categories of personal data: this refers to sensitive personal data, which includes information about an individual's race, ethnic origin, politics, religion, trade union membership, genetics, biometrics (where used for ID purposes), health, sex life, or sexual orientation.
- Criminal offence data: this includes data about criminal allegations, proceedings or convictions.

There are certain key data protection principles to which the school must have regard when processing personal data.

These are that personal data shall be:

- Processed lawfully, fairly and in a transparent manner;
- Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;

- Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- Accurate and, where necessary, kept up to date;
- Kept in a form which permits identification of individuals for no longer than is necessary for the purposes for which the personal data are processed;
- Processed in a manner that ensures appropriate security of the personal data.

### **Our Approach to Processing Personal Data**

We use privacy notices to inform individuals whose personal data we collect about how we use their information and the legal basis on which we are processing it. If we want to process data for new reasons in the future, we will inform affected individuals first. We process special categories of personal data and criminal offence data, for example to meet our obligations under employment law. Where we do so, this processing is underpinned by policies on the use of such data.

For some of the data we process we rely on legitimate interests as the legal basis for processing. We do not rely on this basis unless we have first concluded that the rights and freedoms of individuals do not override those interests.

Personal data we hold on individuals is held in secure paper and/or electronic files to which only authorised personnel have access. Information is held for no longer than is deemed necessary, in accordance with our data retention schedules and privacy notices.

If we are planning to process data and this processing is likely to result in a high risk to individuals' interests, we will undertake a Data Protection Impact Assessment (DPIA) to help us identify and minimise the data protection risks.

We always aim to rectify inaccurate or out-of-date information promptly when notified and encourage anyone whose data we hold to inform us when their details have changed.

### **Rights of Individuals**

If we process your data you have a number of rights as an individual which are summarised below.

1. Right to be informed
2. Right of access

In most cases we will respond to you within one calendar month of receipt. Please be aware that during closure periods we are unlikely to be able to deal with your request promptly so we ask that, wherever possible, you submit requests during term time.

We do not charge a fee for providing a copy of the information except where we have assessed the request as being manifestly unfounded or excessive or where further copies of the same information are asked for.

If we refuse to respond to a request we will explain why, as well as your right to complain to the Information Commissioner's Office.

### 3. Other individual rights

In addition to the right of access described above, individuals have certain other rights.

These are:

- Right to rectification: the right to have inaccurate personal data rectified, or completed if it is incomplete.
- Right to erasure: the right to have personal data erased (also known as the 'right to be forgotten').
- Right to restrict processing: the right to request the restriction or suppression of your personal data in certain circumstances.
- Right to data portability: the right in certain circumstances to move, copy or transfer personal data easily from one IT environment to another in a safe and secure way.
- Right to object: the right to object to processing based on legitimate interests or the performance of a task in the public interest / exercise of official authority; this also covers direct marketing as well as processing for purposes of scientific or historical research and statistics.
- Rights relating to automated decision making including profiling: automated individual decision-making refers to making a decision solely by automated means without any human involvement; profiling refers to automated processing of personal data to evaluate certain things about an individual. We do not currently use automated decision making in any of our processing activities

If you want to exercise any of these rights, you should do so by emailing your request to [DPO@ashmanorschool.com](mailto:DPO@ashmanorschool.com) or by post to the school's address.

### **International Data Transfers**

We do not transfer personal data to countries outside the EEA.

### **Our Approach to Data Security and Breaches**

Our school is committed to ensuring that the personal data we hold and process is kept secure at all times and that data protection is considered and integrated into our processing activities. We use a variety of technical and organisational measures to protect personal data from accidental or unlawful destruction, loss, alteration, unauthorised disclosure, or unauthorised access. For example, we ensure that:

- only authorised personnel can access, alter, disclose or destroy personal data;
- authorised personnel understand the limits of their authority and to whom they should escalate any issues relating to personal data;
- we have appropriate backup systems in place so that, if personal data is accidentally lost, altered or destroyed, it can be recovered;

- access to premises or equipment given to anyone outside the school (for example, for computer maintenance purposes) is strictly regulated and access to data limited;
- staff receive training on data protection principles and their responsibilities as appropriate to their role, including highlighting the possibility that they may commit a criminal and/or disciplinary offence if they deliberately try to access or disclose information without authority;
- we have proper procedures in place to identify individuals who are requesting personal data before it is given out;
- there are strict guidelines in place on the appropriate use of computers to reduce the risk of the network being compromised;
- we regularly review our physical security measures, such as ease of access to the premises through entrances and internal doors, alarm systems, lockable storage, security lighting and CCTV;
- we have a process in place for the secure disposal of paper waste;
- portable IT equipment is appropriately encrypted so that data contained on such devices is secure;
- confidential paper files are not taken off site unless appropriate security measures have been implemented first;
- third parties who process data on our behalf are compliant with data protection law;
- we have an appointed Data Protection Officer in place who monitors and reports on our accountability and governance measures;

In the event of a data breach taking place, we will report the circumstances to the Information Commissioner within 72 hours of becoming aware that it has occurred. We will also keep a register of data breaches that have occurred.

If a breach is likely to result in a high risk to the rights and freedoms of individuals, we will also inform those concerned directly and without undue delay.

### **Our Expectations of Staff**

We expect all staff working for, or on behalf of, the school, whether employees, casual workers, supply staff, volunteers or consultants, to recognise and adhere to the high standards of data protection we uphold. Everyone has a responsibility for helping to ensure that personal data, whether their own or that of third parties, is accurate, kept up to date and held securely.

Certain members of staff will collect and process data as part of their role. Without exception we expect the following rules to be adhered to:

Members of staff must:

- Only access or process personal data they are authorised to as part of their role and in accordance with the documented purposes for processing (and not for any other purpose);

- Keep personal data confidential and only disclose it to individuals who are authorised to see it (if in any doubt, consulting their line manager or the Data Protection Officer);
- Not remove personal data from its authorised location without permission and, where permission is granted, to ensure that appropriate security measures are in place whilst the data is moved or relocated;
- Not keep work-related personal data on personal devices, such as mobile phones and tablets, or on local computer hard drives or unencrypted USB sticks;
- Take responsibility for ensuring that personal passwords are strong, are changed regularly and never shared;
- Adhere to all security measures designed to keep personal data safe from accidental or unlawful destruction, loss, alteration, unauthorised disclosure, or unauthorised access;
- Participate in training or briefings and read circulated documents aimed at increasing awareness of data protection legislation and good practice;
- Be aware of data protection issues as part of their day-to-day work, particularly as part of any new projects, and report any concerns relating to personal data (including any potential data breaches) as a matter of urgency to the Data Protection Officer.

These rules are an integral part of the school's data security practices in order to comply with data protection legislation. As such, a breach of these rules is likely to be treated as a disciplinary offence and potentially gross misconduct, in accordance with the disciplinary procedure.

### **Freedom of Information Publication Scheme**

This publication scheme conforms to the model scheme for schools approved by the Information Commissioner. The Governing Body is responsible for the implementation of this policy of this scheme.

One of the aims of the Freedom of Information Act 2000 (which is referred to as FOIA in the rest of this document) is that public authorities, including all schools, should be clear and proactive about the format in which the information will be made available. To do this we must produce a publication scheme, setting out:

- the classes of information which we publish or intend to publish;
- the format in which the information will be made available and whether the information is available free of charge or on payment.

The scheme covers information already published and information that is to be published in the future. All information in our publication scheme is available in paper form obtainable from the school. Some information which we hold may not be made public, for example personal information.

## **Aims**

It is the aim of the school to create a happy, caring and inclusive learning environment where all members of the school community have the opportunity to develop in confidence to their full potential within a setting in which they feel valued and equipped for the next steps on the road to lifelong learning.

## **Categories of information published**

The publication scheme guides you to information which we currently publish (or have recently published) or which we will publish in the future. This is split into categories of information known as 'classes'. These are set out later in this document. The classes of information that we undertake to make available are organised into four broad topic areas:

School Prospectus and New Starter information - Information published in the school prospectus, and set out in the letter offering a place.

Governors' Documents Information - published in the School Profile and in other local governing committee documents.

Students & Curriculum Information - about policies that relate to students and the school curriculum including references to student records and incident logs.

School Policies and other information - related to the school Information about policies that relate to the school in general.

## **How to request information**

If you require a paper version of any of the documents within the scheme, please contact the school by telephone, email or letter. The schools contact details are set out below:

Please clearly mark any correspondence with: "FREEDOM OF INFORMATION PUBLICATION SCHEME REQUEST" (in CAPITALS please). Please note that in the case of student educational record requests (see Class 3 below), a response to your request can take up to 15 school days. If the information you are looking for is not available via the scheme and it is not on our website, you can still contact the school to ask if we have it.

## **Paying for information**

Single copies of information covered by this publication are provided free unless stated otherwise. If your request means that we have to do a considerable amount of photocopying or printing (20 or more copies), or have to pay a large postage charge, or your request is for a priced item such as some printed publications or videos, we will let you know the cost before fulfilling your request.

### **Classes of information currently published**

- School Prospectus and New Starter Information
- the name, address, website and telephone number of the school, and the type of school
- the name of the head teacher
- a statement of the school's ethos and values
- information about the school's policy on providing for students with special educational needs

Plus loose leaf information on the school policy on admissions

- a statement of the school's aims
- latest Ofsted report

### **New Starter Information**

New Starter Information is sent with the letter offering a place. This is usually sent at the beginning of March in the year of admission (timing depends on guidance from Surrey County Council).

- the name, address, website and telephone number of the school, and the type of school
- the name of the headteacher

Plus loose leaf information

- school term dates, times, attendance and punctuality
- staff and governors
- uniform

### **The School Profile**

This section sets out information published in the School Profile and in other governors' documents.

The statutory contents of the School Profile are as follows:

- What have been our successes this year?
- What are we trying to improve?
- How have our results changed over time?
- How are we sure that we are meeting the needs of individual students?
- How do we make sure our students are healthy, safe and well supported?
- What activities are available to students?
- How are we working with parents and the community?
- What have students told us about the school, and what have we done as a result?
- What do our students do after leaving this school?

- What have we done in response to Ofsted?

### **Instrument of Government and Constitution Details**

- The name of the school
- The category of the school
- The name of the Governing Committees
- The manner in which the Governing Committee is constituted
- The term of office of each category of governor if less than 4 years
- The name of anybody entitled to appoint any category of governor
- If the school has a religious character, a description of the ethos The date the instrument takes effect

Some information might be confidential and exempt from the publication by law – we cannot therefore publish this.

### **Student Data & Curriculum Policies**

This section gives access to information about student data and policies that relate to students and the school curriculum.

### **Student's Educational Record**

- This covers information such as the records of student's academic achievements as well as any correspondence from teachers, local education authority employees, and educational psychologists engaged by the school's Governing Committee.
- In certain exceptional circumstances, the school can withhold an educational record; for example, where the information might cause harm to the physical or mental health of the student or another individual.

### **Home – school agreement**

- Statement of the school's aims and values, the school's responsibilities, the parental responsibilities and the school's expectations of its students; for example homework arrangements

### **Curriculum Statement**

- Statement on following the policy for the secular curriculum subjects and religious education and schemes of work and syllabuses currently used by the school

### **Relationship and Sex Education Policy**

- Statement of policy with regard to sex and relationship education

### **Special Education Needs Policy**

- Disability Plans Plan for increasing participation of disabled students in the school's curriculum, improving the accessibility of the physical environment and improving delivery of information to disabled students.

### **Equality Statement**

- Statement of policy for promoting equality.

### **Collective Worship**

- Statement of arrangements for the required daily act of collective worship

### **Safeguarding Policy**

- Statement of policy for safeguarding and promoting welfare of students at the school.

### **Behaviour**

- Statement of general principles on behaviour and discipline and of Measures taken by the head teacher to prevent bullying.

### **School Policies and other information related to the school**

This section gives access to information about policies that relate to the school in general. Published reports of Ofsted referring expressly to the school

- Published report of the last inspection of the school and the letter to the children from the lead inspector.

### **Charging & Remissions Policies**

- A statement of the school's policy with respect to charges and remissions for any optional extra or board and lodging, for which charges are permitted, for example school publications, music tuition, trips.

### **School session times and term dates**

- Details of school session and dates of school terms and holidays.

### **Health and Safety Policy and Risk Assessments**

- Statement of general policy with respect to health and safety at work of employees (and others) and the organisation and arrangements for carrying out the policy.

### **Complaints Policy**

- Statement of procedures for dealing with complaints.

### **Capability Policy**

- Statement of procedures adopted by the Governing Committee relating to the performance management of staff and the annual report of the head teacher on the effectiveness of appraisal procedures.
- Staff Code of Conduct, Discipline & Grievance
- Statement of procedure for regulating conduct and discipline of school staff and procedures by which staff may seek redress for grievance.

### **Feedback and complaints**

We welcome any comments or suggestions you may have about the scheme. If you want to make any comments about this publication scheme or if you require further assistance or wish to make a complaint then initially this should be addressed to: Headteacher, Ash Manor School, Manor Road, Ash, Surrey. GU12 6QH

If you are not satisfied with the assistance that you get or if we have not been able to resolve your complaint and you feel that a formal complaint needs to be made, then this should be addressed to the Chair of Governors at the above address. If this does not resolve the issue, you may submit a formal complaint to the Information Commissioner's Office. The ICO is the organisation that ensures compliance with the Freedom of Information Act 2000 and that deals with formal complaints. They can be contacted at Information Commissioner, Wycliffe House, Water Lane, Wilmslow, and Cheshire, SK9 5AF.