



Data Protection Procedures			
Date	Review Date	Coordinator	Nominated Governor
November 2017	May 2018	Gianna Colizza	Lucy Rome

Gesher 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.

The following are a list of legislative documents which have informed the development of this policy and/or directly impact the school's statutory obligations:

- EC Convention on Human Rights and Fundamental Freedoms 1950
- Rehabilitation of Offenders Act 1974
- Access to Medical Records 1988
- Data Protection Directive 95/46/EC
- Asylum and Immigration Act 1996
- Employment Rights Act 1996
- Data Protection Act 1998
- Human Rights Act 1998
- Public Interest Disclosure Act 1998
- Freedom of Information Act 2000
- Regulation of Investigatory Powers Act 2000
- Telecommunications (Lawful Business Practice) Regulations 2000
- Protection of Freedoms Act 2012
- Departmental advice: Cloud (educational apps) software service and the Data Protection Act 2014

All personal data covered by the Data Protection Act 1998 includes the school admission register, attendance registers, pupils' curricular records, assessment data, class lists, reports to parents, pupils' disciplinary records, school personnel files, school financial information, school strategic and school improvement plans, recorded CCTV footage (either collected by us or by the Community Security Trust (CST) who assist and support us with security), pupils' family and home contact details, records of contractors and suppliers and records of pupils entering public examinations.

We will ensure that under the Data Protection Act 1998 all school personnel are able to access personal data that is held about them. We will respond to any request of access within 40 days.



We will ensure a pupil's educational records will be made available to their parents or carers on receipt of a written request within 15 school days.

We aim to fulfill our obligations under the Data Protection Act 1998 and to protect the right of school personnel and pupils to privacy in line with the Act.

Aims

- To allow all school personnel their right to have access to their personal data.
- To allow all parents their right of access to their child's records.
- To protect all school personnel's right to privacy in line with the Data Protection Act 1998.
- To protect all pupils right to privacy in line with the Data Protection Act 1998.
- To ensure compliance with all relevant legislation connected to this policy.
- To work with other schools and the local authority to share good practice in order to improve this policy.

Responsibility for the Policy and Procedure

Role of the Governing Body

The Governing Body has:

- the responsibility to comply with the legal requirements of the Data Protection Act 1998;
- the responsibility to ensure data is processed in accordance with the eight principles of the Data Protection Act 1998;
- delegated powers and responsibilities to the Headteacher as 'Data Controller' for the school;
- delegated powers and responsibilities to the Headteacher to ensure all school personnel and stakeholders are aware of and comply with this policy;
- responsibility for ensuring that the school complies with all equalities legislation;
- nominated a designated Equalities governor to ensure that appropriate action will be taken to deal with all prejudice related incidents or incidents which are a breach of this policy;
- responsibility for ensuring funding is in place to support this policy;
- responsibility for ensuring this policy and all policies are maintained and updated regularly;
- responsibility for ensuring all policies are made available to parents;
- nominated a link governor to:
 - visit the school regularly;
 - work closely with the Head teacher;
 - ensure this policy and other linked policies are up to date;
 - ensure that everyone connected with the school is aware of this policy;
 - attend training related to this policy;
 - report to the Governing Body every term;



- annually report to the Governing Body on the success and development of this policy.
- responsibility for the effective implementation, monitoring and evaluation of this policy.

Role of the Headteacher

The Headteacher will:

- act as 'Data Controller' for the school;
- ensure the school complies with the Data Protection Act 1998 and the eight data protection principles;
- ensure all data is processed fairly and lawfully;
- ensure security measures and confidential systems are in place to protect personal data and pupil records;
- ensure data is obtained for specific and lawful purposes;
- ensure data is adequate, relevant and not excessive;
- ensure all personal data is accurate and that inaccurate data is corrected or erased;
- ensure procedures are in place to deal with requests for access to personal data;
- ensure data is not kept longer than is necessary;
- ensure school personnel are aware of their rights;
- ensure school personnel are aware of their responsibilities;
- ensure a pupil's educational records will be made available to their parents or carers on receipt of a written request within 15 school days;
- ensure a Common Transfer File is sent when a pupil joins another school;
- make effective use of relevant research and information to improve this policy;
- work closely with the link governor;
- provide leadership and vision in respect of equality;
- provide guidance, support and training to all staff;
- annually report to the Governing Body on the success and development of this policy.

Role of School Personnel

School personnel will:

- comply with all aspects of this policy;
- be aware of all other linked policies;
- follow the safe and confidential system procedures that are in place to protect personal data and pupil records;
- receive a copy of their personal data at the beginning of every academic year;
- check this data and will inform the Data Controller of any mistakes;
- apply in writing for access to their personal data;
- comply and respect confidentiality of personal information at all times but especially when involved with interviewing new school personnel;
- provide accurate and up to date personal information;
- inform the school of any changes to their personal data



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- report and deal with all incidents of discrimination;
- report any concerns they have on any aspect of the school community

Data Protection Principles

Personal data must:

- be processed lawfully;
- be obtained and processed for specific and lawful purposes;
- be sufficient, appropriate and not excessive in relation to the precise purpose;
- be accurate and up to date;
- not be kept for a great length of time;
- be processed in agreement with the individual's legal rights;
- be protected against unlawful processing, accidental loss, destruction or damage;
- not be transferred outside the EU unless the rights and freedom of the individual is protected

Personal Information Relating to School Personnel

We hold the following information:

- contact details
- National Insurance numbers
- ethnic group
- employment contracts
- remuneration details
- qualifications
- absence information

Personal Information Relating to Pupils

We hold the following information:

- contact details
- national curriculum assessment results
- other assessment information
- attendance information
- any exclusion information
- transferring school
- ethnic group
- any special needs
 - therapist's reports
 - other professional reports
- relevant medical information
- accident reports



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- incident reports

Security Measures

We work in conjunction with of Practice to ensure that computers and servers comply with all up to date Government regulations and are secure with the guidelines from Brent LA.

- anti-virus software;
- fire wall software;
- passwords

We follow government guidelines when employing the use of cloud based solutions to store or process personal data. We will ensure when choosing a cloud computing provider that their data protection policy meets the statutory obligations applicable to the school. We will also ensure that the provider has conducted the supplier “self-certification process” set out by the Department for Education.

All school personnel are trained to:

- be discreet and confidential;
- consider the safe and secure positioning of computers;
- back up data;
- turn off computers when not in use;
- remember password access;
- lock filing cabinets and doors to offices;
- adequately dispose of confidential material;
- use appropriate digital security settings at home and work;
- understand principles of digital security procedures at home and work;
- clear their desk before they leave school

Disclosure of Data

Personal data cannot be disclosed to a third party without the consent of the individual except when it is legally required.

Requests for Access to Data

All requests from school personnel for access to their data must be made in writing on headed note paper and sent to the data controller.

Rights of Individuals

Individuals have rights to:



- know when their data is being processed, the reason it is being processed and the name of the person or organisation requesting the information;
- prevent processing which could be harmful to them or others.

Individuals are not entitled to:

- copies of their references;
- information on pay reviews.

Grievance Procedure

Any member of the school personnel who disputes any aspect of their personal data with the Data Controller has the right to take up the matter under the school's formal grievance procedures.

Rights of Parents, Carers and Pupils

Pupil's educational and therapeutic records will be made available to their parents or carers on receipt of a written request within 15 school days.

Pupil's may also request (in writing) access to their educational records.

Raising Awareness of this Policy

We will raise awareness of this policy via:

- the School Handbook/Prospectus
- the school website
- the Staff Handbook
- meetings with school personnel
- reports such annual report to parents and Headteacher reports to the Governing Body

Training

All school personnel:

- have equal chances of training, career development and promotion
- receive training on this policy on induction which specifically covers:
 - Data Protection Act 1998
 - Freedom of Information 2000
 - E-safety



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- receive periodic training so that they are kept up to date with new information
- receive equal opportunities training on induction in order to improve their understanding of the Equality Act 2010 and its implications

Equality Impact Assessment

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation.

This policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any pupil and it helps to promote equality at this school.

Monitoring the Implementation and Effectiveness of the Policy

The practical application of this policy will be reviewed annually or when the need arises by the Headteacher and the nominated governor.

A statement of the policy's effectiveness and the necessary recommendations for improvement will be presented to the Governing Body for further discussion and endorsement.