



WADEBRIDGE SCHOOL

DATA PROTECTION POLICY

APPROVED BY GOVERNORS: (Revised August 2015 – Approved December 2015)

Signed:
(Chair of Resources Committee)

Signed:
(Chair of Governors)

Signed:
(Headteacher)

Wadebridge School

Data Protection Policy

Policy responsibility: Miss T Yardley

Aims and objectives

Wadebridge School processes personal data about its pupils and staff and is a “data controller” in respect of this for the purposes of the Data Protection Act 1998. It processes this data to:

- support its pupils’ teaching and learning;
- monitor and report on their progress;
- provide appropriate pastoral care, and
- assess how well the school as a whole is doing

This data includes contact details, national curriculum assessment results, attendance information, characteristics such as ethnic group, special educational needs and any relevant medical information.

This data may only be used or passed on for specific purposes allowed by law. From time to time the school is required to pass on some of this data to local authorities, the Department for Education (DFE), and to agencies that are prescribed by law, such as the Qualifications and Curriculum Authority (QCA), Ofsted, the Department of Health (DH). All these are data controllers in respect of the data they receive, and are subject to the same legal constraints in how they deal with the data.

Pupils and staff, as data subjects, have certain rights under the Data Protection Act, including a general right to be given access to personal data held about them by any data controller. A parent at Wadebridge School would need to request data on behalf of their child.

How to access data

If a parent wishes to access their own personal data, or that of their child held by Wadebridge School then they will need to contact the school in writing either via email to enquiries@wadebridge.cornwall.sch.uk or via letter addressed to the Headteacher.

Cornwall Council also holds pupil and parental data and a request for information may be made through the following website link:

<http://www.cornwall.gov.uk/default.aspx?page=229>

The school reserves the right to charge a fee for data requests.

The school will adhere to Section 56 of the Data Protection Act (DPA) 1998 which came into force on 1 December 2014

Section 56 prevents employers from requiring people to use their subject access rights under the DPA to provide certain records, as a condition of employment. It also prevents contracts from requiring certain records as a condition for providing or receiving a service. Section 56 does not, however, prevent such requests where the record is required by law or is justified in the public interest.

From 1 December 2014, requiring people to provide these records will become a criminal offense, punishable by a fine. In England and Wales the maximum financial penalty on summary conviction in the magistrates' court is £5,000 (soon to be unlimited). On indictment in the Crown Court the fine can be unlimited.

Recipients of data

Personal data will not be disclosed to other third parties without the consent of the parent/legal guardian, unless obliged by law and unless it is in the best interest of the child. Personal data will therefore be accessed and disclosed as follows:

a) Access:-

Restricted staff members of the school will access personal data on a need to know basis in the course of executing their duties. The professional staff requiring such data are fully aware of the obligations the school has under the Data Protection Act, and they will only use the data for the purposes for which it was collected.

b) Disclosure:-

The school endeavours to inform students and their parents/legal guardians when there is a possibility that personal data may be disclosed to third parties, and will ask for consent where applicable. However, there are instances where personal data will have to be disclosed without consent to the following third parties:

c) Cornwall Council - to evaluate and develop education policies related to state schools, to enforce the Education Act where required, and to monitor the national educational system.

d) Other schools - where a student is transferred to another school, all academic records and other data related to the welfare and health of the student are forwarded to the other school, for continuation purposes.

e) Examination Authorities – to enable students to sit for examinations as part of the examinations process.

f) Health Authorities – to avoid contagious diseases or epidemics as obliged under health legislation in the interest of public health.

g) Hospitals / Clinics/other medical professional – where a student needs medical treatment due to illness or injuries suffered by him / her. Health inspections are also conducted as part of the health monitoring programme for school children.

h) Police – in cases of criminal investigations and in the interest of law and order.

i) Social workers / Support agencies – where the welfare of the student is not being maintained and in cases of child abuse.

j) Courts – as ordered.

Retention of Personal data

The school does not hold any data longer than necessary, having considered the purposes for processing. Records are maintained in accordance with the schools record management toolkit where relevant records are kept.

http://www.irms.org.uk/images/resources/infoguides/records_management_toolkit_for_schools_version_4_may_2012.pdf

In this regard, all personal data relating to students and their parents / legal guardian will be held for the period during which the student attended this school, with the exception of records

selected to be kept for record purposes, and statistical data or for statutory purposes as detailed in the toolkit.

Eventually visual images not selected for historic record purposes will be kept for three years only.

Marks obtained by students in examinations are also kept for the duration of their attendance at this school, with the exception of results of the last scholastic year which are held for a period of five years only. It is therefore very important that all certificates, results and any other record indicating the educational progress of the student, is to be appropriately preserved by the parents / legal guardian for future use by the student.

Freedom of Information Act (FOI)

The freedom of information act provides a right for public access on request to information held by public authorities including schools and academies. Any such requests for pupil or staff data need to be carefully considered to ensure the school is not contravening the data protection act in providing information requested under the freedom of information act. If there is any doubt at all about responding to a FOI request then advice must be sought from the schools legal advisors.