

# Wadebridge School



## FINANCE POLICY

### Appendix 8 Data Protection

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# **Wadebridge School**

## **Data Protection Policy**

**Policy responsibility: Chris Wilson**

### **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 2018 and the General Data Protection Regulations 2018 (GDPR). It processes this data to:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- to pay staff

In the case of pupils this data includes:-

- Personal information (such as name, unique pupil number and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information (such as school reports, exam results)
- Behaviour and achievement information (such as yellow cards, red cards, exclusions)
- Family information (such as next of kin, emergency contacts)
- Relevant medical information (such as medical conditions, doctor)
- Relevant dietary conditions and food intolerances

In the case of staff this data includes:-

- Personal information (such as name, employee or teacher number, national insurance number)
- Special categories of data including characteristics information such as gender, age, ethnic group
- Contract information (such as start dates, hours worked, post, roles and salary information)
- Work absence information (such as number of absences and reasons)
- Qualifications (and, where relevant, subjects taught)
- Relevant medical information, home address, next of kin contact details
- Payroll information.

## Special educational needs 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 and GDPR, 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. Children in some cases can submit their own request.

### 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](mailto: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:

<https://www.cornwall.gov.uk/the-council-and-democracy/data-protection-and-freedom-of-information/data-protection/request-to-access-correct-or-delete-information-we-hold-about-you/>

### 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 GDPR, 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:

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

- 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.
- Examination Authorities – to enable students to sit for examinations as part of the examinations process.
- Health Authorities – to avoid contagious diseases or epidemics as obliged under health legislation in the interest of public health.
- 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.
- Police – in cases of criminal investigations and in the interest of law and order.
- Social workers / Support agencies – where the welfare of the student is not being maintained and in cases of child abuse.
- 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 school's record management toolkit where relevant records are kept.

<https://irms.org.uk/general/custom.asp?page=AcademiesToolkit&DGPCrPg=1&DGPCrSrt=7A>

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 and GDPR 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 school's legal advisors.

### **Subject Access Request (SAR)**

A subject access request (SAR) is a formal request made by an individual to an organisation, asking for access to their personal data held by that organisation. This right is granted under data protection laws. Individuals can use a SAR to understand what personal information is held about them, how it's being used, and who it's being shared with. Any such requests need to be made to the Business Manager as data controller. There is guidance published by the ICO on how such requests should be handled.