



### **Data Protection Policy**

William Read Primary School and Nursery 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 available on the ICO's website.

William Read Primary School and Nursery has issued a Privacy Notice (available on the School's website), which summarises the information held on pupils, why it is held and the other parties to whom it may be passed on.

### **Purpose**

This policy is intended to ensure that personal information is dealt with correctly and securely and in accordance with the General Data Protection Regulation (GDPR) and the expected provisions of the Data Protection Act 2018 as set out in the Data Protection Bill, and any other related legislation. It will apply to information regardless of the way it is collected, used, recorded, stored and destroyed, and applies whether it is held in paper files or electronically.

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. All staff receive training, as part of their Induction and on an ongoing basis, regarding data protection.

The school will act in accordance with the GDPR by adopting a privacy by design approach and implementing technical and organisational measures which demonstrate how the school has considered and integrated data protection into processing activities.

### **What is Personal Data?**

Personal data (or information) is defined as "any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier".

### **Special Categories of Personal Data**

Special categories of personal data relates to personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sexual orientation and; data regarding criminal convictions or cautions.

### **The lawful basis on which we use this information**

We process personal data under Article 6 of the GDPR in respect of compliance with a legal obligation and public task and from Article 9 where data processed is special category data.

### **Consent**

Where the school asks for consent for processing personal data (e.g. use of photographs), we will ensure that it is freely given, specific, informed and an unambiguous indication of the individual's wishes.

The school will keep written records of the consent forms.

Consent can be withdrawn by the individual at any time.

## **Data Protection Principles**

The GDPR provides the following rights for individuals:

1. The right to be informed;
2. The right of access;
3. The right to rectification;
4. The right to erasure;
5. The right to restrict processing;
6. The right to data portability
7. The right to object;
8. Rights in relation to automated decision making and profiling.

## **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 is 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, and obtain consent, where needed.
- Set out procedures to ensure compliance with the duty to respond to requests for access to personal information, known as Subject Access Request
- Ensure our staff are aware of and understand our policies and procedures
- Where a breach of personal information has occurred, this will be thoroughly investigated by the Data Protection Officer and if necessary, reported to the ICO within 72 hours. (see Data Breach Procedure for more information).
- Before any new processes / software are introduced, the school will conduct a Data Privacy Impact Assessment (DPIA) to fully understand any risks associated with this process.

## **Subject Access Requests**

All individuals whose personal data is held by us, has a legal right to request access to such data or information about what is held. We shall respond to such requests within one month and they should be made in writing to:

Sarah Fletcher, Data Protection Officer, William Read Primary School and Nursery, Long Road, Canvey Island, Essex, SS8 0JE.

No charge will be applied to process the request.

## **Photographs and Video**

Images of staff and pupils may be captured at appropriate times and as part of educational activities for use in school only.

Unless prior consent from parents/staff has been given, the school shall not utilise such images for publication or communication to external sources.

It is the school's policy that external parties (including parents) may not capture images of staff or pupils during such activities without prior consent.

## **Complaints**

Should raise any concerns with the School's Data Protection Officer – Mrs. S. Fletcher on 01268 683053 or email [admin@williamread.essex.sch.uk](mailto:admin@williamread.essex.sch.uk), or write to William Read Primary School and Nursery, Long Road, Canvey Island, Essex, SS8 0JE. 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).

## **Review**

This policy will be reviewed as it is deemed appropriate, but no less frequently than every 2 years. The policy review will be undertaken by the Headteacher/DPO, or nominated representative.

**Contacts**

If you have any enquiries in relation to this policy, please contact the Headteacher or Data Protection Officer, who will also act as the contact point for any Subject Access Requests.

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

**Links with other policies**

This data protection policy is linked to the following policies/procedures:

- Privacy Notice
- CCTV Policy
- ICT Policy / Acceptable Use Policy