



**THE CORBET SCHOOL**

## **Data Protection Policy**

### **Associated Policies**

**Freedom of Information Policy**

**Review Period:- 2 Years**

**Review Completed:- September 2017**

**Next Review Due:- January 2019**

**Policy Manager:- SBM**

**Approval Authority:- F&P**



**THE CORBET SCHOOL**

## **DATA PROTECTION POLICY**

This document is a statement of the Data Protection policy adopted by The Corbet School.

The school needs to collect and use certain types of information about staff, students and other individuals who come into contact with the school in order to operate. In addition, it may be required by law to collect and use certain types of information to comply with statutory obligations of Local Authorities (LAs), government agencies and other bodies. Further details are given in the Shropshire Council, Privacy Notice – Full Version, which is attached to this policy.

Personal information must be dealt with properly however it is collected, recorded and used – whether on paper, in a computer, or recorded on other material - and there are safeguards to ensure this in the Data Protection Act 1998.

**We regard the lawful and correct treatment of personal information as very important to successful operations, and to maintaining confidence between those with whom we deal and ourselves. We ensure that our organisation treats personal information lawfully and correctly.**

To this end we fully endorse and adhere to the Principles of Data Protection, as detailed in the Data Protection Act 1998.

Specifically, the Principles require that personal information:

- 1) shall be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met,
- 2) shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes,
- 3) shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed,
- 4) shall be accurate and, where necessary, kept up to date,
- 5) shall not be kept for longer than is necessary for that purpose or those purposes,
- 6) shall be processed in accordance with the rights of data subjects under the Act,
- 7) appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data,
- 8) shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

**The Corbet School will, through appropriate management, strict application of criteria and controls:**

- observe fully conditions regarding the fair collection and use of information,
- meet its legal obligations to specify the purposes for which information is used,
- collect and process appropriate information, and only to the extent that it is needed to fulfil operational needs or to comply with any legal requirements,
- ensure the quality of information used,
- apply strict checks to determine the length of time information is held,
- ensure that the rights of people about whom information is held, can be fully exercised under the Act. (These include: the right to be informed that processing is being undertaken, the right of access to one's personal information, the right to prevent processing in certain circumstances and the right to correct, rectify, block or erase information which is regarded as wrong information),

- take appropriate technical and organisational security measures to safeguard personal information,
- ensure that personal information is not transferred abroad without suitable safeguards,
- treat people justly and fairly whatever their age, religion, disability, gender, sexual orientation or ethnicity when dealing with requests for information,
- set out clear procedures for responding to requests for information.

**In addition, we will ensure that:**

- there is someone with specific responsibility for Data Protection within the school:- **The School Business Manager.**
- everyone managing and handling personal information understands that they are contractually responsible for following good data protection practice,
- everyone managing and handling personal information is appropriately trained to do so,
- everyone managing and handling personal information is appropriately supervised,
- anybody wanting to make enquiries about handling personal information knows what to do,
- queries about handling personal information are promptly and courteously dealt with,
- methods of handling personal information are clearly described,
- a regular review and audit is made of the way personal information is held, managed and used,
- methods of handling personal information are regularly assessed and evaluated,
- performance with handling personal information is regularly assessed and evaluated.
- a breach of the rules and procedures identified in this policy may lead to disciplinary action being taken against the members of staff concerned.

This policy will be updated as necessary to reflect best practice in data management, security and control and to ensure compliance with any changes or amendments made to the Data Protection Act 1998.

In case of any queries or questions in relation to this policy please contact the school Data Protection representative.

### **Accessing Pupil Records – The Children Act 2004**

1. Schools are required to keep simple records about every registered pupil. Records must cover a pupil's academic achievements/skills/abilities and progress in school. The records must be updated at least once a year.

2. Information subject to disclosure to parents:-

- (i) Any material originating from a teacher at the school, an Education Welfare Officer, or an employee of the Local Authority.
  - (ii) Results of an individual pupil's assessment.
  - (iii) Administrative information, eg on attendance.
  - (iv) Material on the pupil's emotional development and home background.
3. If a parent wishes to see her/his child's records s/he must forward a written request to the Assistant Head – Pupil Support. A response must be made within 15 school days of the receipt of the written request. Copies will be provided only if indicated in the initial written request and following the receipt of the cost of duplication.
4. A 'parent' includes divorced or separated parents, a legal guardian, a foster parent, or an LA/voluntary organisation with parental rights.
5. If a parent considers material in a record to be inaccurate, or misleading, he/she should arrange an appointment to discuss the matter with the Deputy Head. After consultation with the Head, a written response will be forwarded to the parent. If the inaccuracy is agreed, the record will be amended by either correction or deletion. In the event of senior teachers at the school not agreeing to an alleged inaccuracy, the parent has the right to use the Governing Body's Complaints Procedure. This is started by writing to the Clerk to the Governing Body.

6. Material exempted from disclosure to parents:-

- (i) Records made before 1st September 1989; (unless the school chooses to disclose this).
- (ii) Information from third parties other than those listed in 2 (i) above, eg social services, medical and probation officer reports.
- (iii) Anything which might allow a third party to be identified.
- (iv) Information regarding other pupils.
- (v) Material which could cause serious harm to the physical, mental or emotional condition of the pupil, or any other person.
- (vi) Information relating to actual, alleged, or suspected child abuse.
- (vii) Any reference.
- (viii) Ethnic data.
- (ix) School report to juvenile courts.
- (x) Statements of special educational needs.
- (xi) Notes on pupils kept by a teacher, solely for his/her own reference.

Should any clarification of these arrangements be required, parents are asked to consult with the Assistant Head - Pupil Support. Records can be retained by the school (archived) for a period before being disposed of via confidential waste disposal.



**ALL YOU NEED TO KNOW ABOUT DATA KEPT ABOUT YOUR CHILD**  
**(updated April 2012)**

Dear Parent/Carer,

**Privacy Notice – Full Version**

Shropshire Council has an obligation under the Data Protection Act to let you know as Parent/Carer what information we at school and others hold about you and your child(ren) and this **Privacy Notice (PN)** is designed to do this. This notice goes into detail about the organisations with whom we share that data and what they and we use it for and with whom they may share that data as well under the Data Protection Act. A reduced version is provided for parents/carers along with a request for information in order to populate the school's administration system.

Above all, we want to assure you that any data exchanges under the PN are always across secure networks and that where we or Shropshire Local Authority (LA) very rarely have to place personal information onto any removable or portable electronic media, it will be password protected as a further safeguard for you and your child(ren). If you have any comments, queries or concerns about any data aspects, the addresses to which you need to write are given below. Information on other aspects of the organisations covered below can be found at their listed websites.

Our **school** holds and processes information on pupils in order to support their teaching and learning, to monitor and report on their progress, to provide appropriate pastoral care, and to assess how well the school as a whole is doing. This information includes you and your child's contact details, National Curriculum assessment results, attendance information, characteristics such as ethnic group, special educational needs, predominant mode of travel to our school and any important medical information.

From time to time the school is required to pass on some of this data to local authorities, the Department for Education (DfE), to agencies that are prescribed by law, such as the Standards and Testing Agency (STA), Ofsted, the Department of Health (DH), Shropshire Community Health NHS Trust (formerly known as the Primary Care Trust (PCT), Skills Funding Agency and organisations that require access to data in the Learner Records Service covering secondary schools only. All these are "data controllers" for the information they receive and the data must only be used for specific purposes allowed by law.

In addition, **it is helpful for accurate record keeping if we can see a copy of your child's birth certificate and, if you wish us to, please let us have a copy** which we will keep on your child's personal file. The reason for our asking for this is to ensure that the **legal name** we keep on our system is correct. The copy of the certificate will be used for no other purpose and is only ever passed to the school to which your child transfers. Whilst you can have your child known with a different forename and surname, and you can request that we refer to him or her under these names in correspondence with you, we must also retain the legal name on the system. It is the legal name that will generally be passed across to the relevant organisations listed below and it is your responsibility to make your child aware of his or her legal name should you wish to use an alternative for whatever purposes. If your child is adopted, the adoption certificate will be sufficient for this purpose but any previous details about your child, or the fact that he or she is adopted will not be retained on our school databases. In the case where one parent wishes us to use the legal name and the other parent wishes us to use a known as name we will do our best to comply with the respective parent's wishes unless there is a court order restraining us from so doing, a copy of which will need to be lodged with us at the school.

The **Local Authority (LA)** uses information about children for whom it provides services to carry out specific functions for which it is responsible, such as the assessment of any special educational needs the child may have and forward planning. It also uses the information to derive statistics to inform decisions on (for example) the funding of schools, and to assess the performance of schools and set targets for them. The statistics are used in such a way that individual children cannot be identified from them. Mode of travel is used for Safer School Initiatives and School Travel Plans which can, importantly, attract additional funding for our school. Shropshire administers the Youth Support Service and relevant information will be passed to them to help provide an effective service. The LA may use individual, group or global data as appropriate to carry out its functions. This may include the sharing of information about individuals where this is likely to enable a beneficial intervention from the other public sector agencies.

The Secretary of State, acting through the Department for Education (DfE), collects information on individual **children who are looked after** by Local Authorities and commenced collection of information on individual **children in need** from April 2009. The intention is that local authorities will supply the information to the Secretary of State after the end of the financial year. The data collection on children who are looked after by Local Authorities is known as the SSDA903 return and the data collection on children in need will be the Children in Need (CIN) Census.

This section of the PN is intended to inform children over the age of 12 and their parents/carers, and the parents/carers of children under the age of 12, whose data are included in the SSDA903 return and the CIN census, about the identity of the person who processes the data and uses to which the data will be put. The data that will be collected will vary with each collection but will include personal characteristics and the details of services provided to the individuals involved. The name of the child **will not** be included in the returns, but where the child has a Unique Pupil Number (UPN) this will be collected in each return. Collection of the UPN enables DfE to extract education information from the national pupil database held by them and to add it to the information in the returns submitted by local authorities. Although the national pupil database also contains the name of the child, DfE does not use the child's name in processing or analysing the information in the returns or the composite data. Neither does DfE use the identifiable information to take any action in relation to individual children nor are individual children identified in any reports. A complete list of data items in SSDA903 and CIN can be found at the DfE website. See also the section on the DfE regarding passing information onto other organisations and individuals below.

The **Standards and Testing Agency (STA)**, a new executive agency of the Department for Education, uses information about pupils to administer the national curriculum assessments portfolio throughout Key Stages 1 to 3. This includes both assessments required by statute and those that are optional. The results of these are passed on to DfE to compile statistics on trends and patterns in levels of achievement. The STA uses the information to evaluate the effectiveness of the national curriculum and the associated assessment arrangements, and to ensure that these are continually improved. Further details can be found from [www.education.gov.uk](http://www.education.gov.uk).

**Ofsted** uses information about the progress and performance of pupils to help inspectors evaluate the work of schools, to assist schools in their self-evaluation, and as part of Ofsted's assessment of the effectiveness of education initiatives and policy. Ofsted also uses information about the views of children and young people, to inform children's services inspections in local authority areas. Inspection reports do not identify individual pupils. Their website is [www.ofsted.gov.uk](http://www.ofsted.gov.uk)

**Skills Funding Agency** uses information about pupils aged 14 and over (or enrolling for post-14 qualifications) for statistical purposes in order to evaluate and develop education policy and monitor the performance of the education service as a whole. Further information on how this data is used may be found on the Skills Funding Agency website; <http://skillsfundingagency.bis.gov.uk/>

**Learner Records Service (secondary schools only) – previously known as MIAP** is aimed at pupils aged 14 years and for pupils registering for post-14 qualifications. The Chief Executive of Skills Funding administers the Learning Records Service which issues Unique Learner Numbers (ULN) to create Personal Learning Records. The service offers advice and guidance to the learner as well as facilitating the



processing of qualification awarded. Approved organisations will be allowed to access the limited set of personal data. More information can be found at [www.learningrecordservice.org.uk](http://www.learningrecordservice.org.uk)

**Shropshire Community Health NHS Trust (formerly known as the Primary Care Trust (PCT))** use information about pupils for research and statistical purposes, to monitor the performance of local health services and to evaluate and develop them. The statistics are used in such a way that individual pupils cannot be identified from them. Information on the height and weight of individual pupils may however be provided to the child and its parents and this will require Shropshire Community Health NHS Trust to maintain details of pupils' names for this purpose for a period designated by the Department of Health following the weighing and measuring process. The Trust may also provide individual schools and LAs with aggregate information on pupils' height and weight. Shropshire also has a long standing arrangement for shared known children data with the Trust to enable us to produce more accurate forward planning statistics and the local authority will share information on its pupils and parents with the Trust to enable them to carry out dental and other surveys in the most effective fashion and to maintain the accuracy of the its databases. Any such surveys will still require the consent of you as parent for the survey to be undertaken for your child(ren).

The **Department of Health (DH)** uses aggregate information (at school year group level) about pupils' height and weight for research and statistical purposes, to inform, influence and improve health policy and to monitor the performance of the health service as a whole. The DH will base performance management discussions with Strategic Health Authorities on aggregate information about pupils attending schools in the PCT areas to help focus local resources and deliver the Public Service Agreement target to halt the year on year rise in obesity among children under 11, in the context of a broader strategy to tackle obesity in the population as a whole. The DH will also provide aggregate PCT level data to the Healthcare Commission for performance assessment of the health service. Their website is [www.dh.gov.uk](http://www.dh.gov.uk)

The **Department for Education (DfE)** uses information about pupils for research and statistical purposes, to inform, influence and improve education policy and to monitor the performance of the education service as a whole. The DfE will feed back to LAs and schools information about their pupils for a variety of purposes that will include data checking exercises, use in selfevaluation analyses and where information is missing because it was not passed on by a former school.

The DfE will also provide Ofsted with pupil data for use in school inspection. Where relevant, pupil information may also be shared with post 16 learning institutions to minimise the administrative burden on application for a course and to aid the preparation of learning plans. Pupil information may be matched with other data sources that the Department holds in order to model and monitor pupils' educational progression and to provide comprehensive information back to LAs and learning institutions to support their day to day business. The DfE may also use contact details from these sources to obtain samples for statistical surveys. These surveys may be carried out by research agencies working under contract to the Department and participation in such surveys is usually voluntary. The DfE may also match data from these sources to data obtained from statistical surveys.

Pupil data may also be shared with other Government Departments and Agencies (including the Office for National Statistics) for statistical or research purposes only. In all these cases the matching will require that individualised data is used in the processing operation, but that data will not be processed in such a way that it supports measures or decisions relating to particular individuals or identifies individuals in any results. This data sharing will be approved and controlled by the government's Chief Statistician. The DfE may also disclose individual pupil information to independent researchers into the educational achievements of pupils who have a legitimate need for it for their research, but each case will be determined on its merits and subject to the approval of the government's Chief Statistician. Their website is [www.education.gov.uk](http://www.education.gov.uk)

Pupils, as data subjects, have certain rights under the Data Protection Act, including a general right of access to personal data held on them, with parents exercising this right on their behalf if they are too young to do so themselves. If you wish to access the personal data held about your child, please contact us at the school, the LA or the relevant organisation in writing. If your child is of secondary school age and wishes to access their personal data, or you wish to do so on their behalf, again please make contact as above. Ofsted's Data Protection Officer at Aviation House, 125 Kingsway, London WC2B 6SE, the DH's Data Protection Manager at Room 334B Skipton House 80 London Road London SE1 6LH; the Shropshire Community Health NHS Trust Caldicott Guardian and the DfE (including the STA) can be contacted via it's

online web form at <http://www.education.gov.uk/help/contactus>. In order to fulfil their responsibilities under the Act the organisation may, before responding to this request, seek proof of the requestor's identity and any further information required to locate the information requested.

All rights under the Data Protection Act to do with information about your child rest with them as soon as they are old enough to understand them. Recent advice is that all pupils aged 12 and over should be able to understand the nature of this privacy notice. **Therefore we would ask you to share this notice with your child if they are aged 12 or over.** Separately from the Data Protection Act, DfE regulations provide a pupil's parent (regardless of the age of the pupil) with the right to view, or to have a copy of, their child's educational record at the school. If you wish to exercise this right, please write to us at the school.

For many years, our school, in common with all others in Shropshire, has collected and recorded information on a pupil's ethnic background, religion, mother tongue and mode of transport. This information is used to compile statistics on the school careers and experiences of children from different backgrounds to help ensure that all children have the fullest opportunity to achieve their potential. **These statistics will not allow individual children to be identified publicly and the information will not be used for any other purpose.**

In addition we are now asking parents on the form attached to the reduced PN to provide us with various consents. This information will normally only be held at the school.

If you wish to have a paper copy of this PN and do not have access to a printer, please write to the Data and Information Team, Learning and Skills, Business Support (Ref Full PN request), The Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND. If you wish to have a copy of the PN translated into another language or in Braille please let us know and we will arrange for this to be done, although this may take us a few weeks to fulfil the request.