



# Ribston Hall High School

## Data Protection Policy General Data Protection Regulation

### **Our Commitment:**

Ribston Hall High School is committed to the protection of all personal and sensitive data for which it holds responsibility as the Data Controller and the handling of such data in line with the data protection principles and the Data Protection Act (DPA).

[Guide to data protection | ICO](#)

Changes to data protection legislation (GDPR May 2018) shall be monitored and implemented in order to remain compliant with all requirements.

The legal bases for processing data (under article 6, section1) are as follows –

**(a) Consent:** the member of staff/student/parent has given clear consent for the school to process their personal data for a specific purpose.

**(b) Contract:** the processing is necessary for the member of staff's employment contract or student placement contract.

**(c) Legal obligation:** the processing is necessary for the school to comply with the law (not including contractual obligations)

**(d) Vital interests:** the processing is necessary in order to protect the vital interests of the data subject ( specifically medical information ).

**(e) Public interest:** the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Controller.

The members of staff responsible for data protection within our school are mainly Ms L Hughes & Mr A Waters. However all staff must treat all student information in a confidential manner and follow the guidelines as set out in this document.

We have also appointed Gloucestershire County Council as our Data Protection Officer and they can be contacted on 01452 583619 or [schoolsdpo@gloucestershire.gov.uk](mailto:schoolsdpo@gloucestershire.gov.uk)

The school is committed to ensuring that its staff are aware of data protection policies, legal requirements and adequate training is provided by Gloucestershire County Council. The requirements of this policy are mandatory for all staff employed by the school and any third party contracted to provide services within the school.

**Notification:**

Our data processing activities will be registered with the Information Commissioner's Office (ICO) as required of a recognised Data Controller. Details are available from the ICO:

Changes to the type of data processing activities being undertaken shall be notified to the ICO and details amended in the register.

Breaches of personal or sensitive data shall be notified within 72 hours to the individual(s) concerned and the ICO.

[Register of data controllers | ICO](#)

**Personal and Sensitive Data:**

All data within the school's control shall be identified as personal, sensitive or both to ensure that it is handled in compliance with legal requirements and access to it does not breach the rights of the individuals to whom it relates.

The definitions of personal and sensitive data shall be as those published by the ICO for guidance: The principles of the Data Protection Act shall be applied to all data processed:

- ensure that data is fairly and lawfully processed
- process data only for limited purposes
- ensure that all data processed is adequate, relevant and not excessive
- ensure that data processed is accurate
- not keep data longer than is necessary
- process the data in accordance with the data subject's rights
- ensure that data is secure
- ensure that data is not transferred to other countries without adequate protection.

[Key definitions of the Data Protection Act | ICO](#)

**Biometric Data:**

As with personal and sensitive data, we ensure that we adhere to the data protection principles as set out in the Data Protection Act 1998 and the additional requirements in sections 26 to 28 of the Protection of Freedoms Act 2012.

Ribston Hall High School will ensure that each parent of a child is notified of the school's intention to use the child's biometric data as part of an automated biometric recognition system.

We require the written consent of at least one parent before the data is taken from the child and used.

This applies to all pupils in school under the age of 18. In no circumstances can a child's biometric data be processed without written consent.

Ribston Hall High School will not process the biometric data of a pupil (under 18 years of age) where: a) the child (whether verbally or non-verbally) objects or refuses to participate in the processing of their biometric data; b) no parent has consented in writing to the processing; or

c) a parent has objected in writing to such processing, even if another parent has given written consent.

We will provide alternative means of accessing services for those pupils who will not be using the automated biometric recognition system.

### **Fair Processing / Privacy Notice:**

We shall be transparent about the intended processing of data and communicate these intentions via notification to staff, parents and students prior to the processing of individual's data.

Notifications shall be in accordance with ICO guidance and, where relevant, be written in a form understandable by those defined as 'Children' under the legislation.

### [Privacy notices, transparency and control | ICO](#)

There may be circumstances where the school is required either by law or in the best interests of our students or staff to pass information onto external authorities, for example local authorities, Ofsted, or the department of health. These authorities are up to date with data protection law and have their own policies relating to the protection of any data that they receive or collect.

The intention to share data relating to individuals to an organisation outside of our school shall be clearly defined within notifications and details of the basis for sharing given. Data will be shared with external parties in circumstances where it is a legal requirement to provide such information.

Any proposed change to the processing of individual's data shall first be notified to them.

Under no circumstances will the school disclose information or data:

- that would cause serious harm to the student or anyone else's physical or mental health or condition
- indicating that the student is or has been subject to child abuse or may be at risk of it, where the disclosure would not be in the best interests of the student
- recorded by the student in an examination
- that would allow another person to be identified or identifies another person as the source, unless the person is an employee of the school or a local authority or has given consent, or it is reasonable in the circumstances to disclose the information without consent. The exemption from disclosure does not apply if the information can be edited so that the person's name or identifying details are removed
- in the form of a reference given to another school or any other place of education and training, the student's potential employer, or any national body concerned with student admissions.

### **Data Security:**

In order to assure the protection of all data being processed and inform decisions on processing activities, we shall undertake an assessment of the associated risks of proposed processing and equally the impact on an individual's privacy in holding data related to them.

Risk and impact assessments shall be conducted in accordance with guidance given by the ICO:

#### [Information security \(Principle 7\) | ICO](#)

Security of data shall be achieved through the implementation of proportionate physical and technical measures. Nominated staff shall be responsible for the effectiveness of the controls implemented and reporting of their performance. The security arrangements of any organisation with which data is shared shall also be considered and where required these organisations shall provide evidence of the competence in the security of shared data.

### **Data Access Requests (Subject Access Requests):**

All individuals whose 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:

The Data Protection Officer at Gloucestershire County Council via email at: [schoolsdpo@gloucestershire.gov.uk](mailto:schoolsdpo@gloucestershire.gov.uk)

No charge will be applied to process the request.

Personal data about students will not be disclosed to third parties without the consent of the student's parent or carer, unless it is obliged by law or in the best interest of the student.

### **Data may be disclosed to the following third parties without consent:**

- **Other schools.** If a Student transfers from Ribston Hall High School to another school, their academic records and other data that relates to their health and welfare will be forwarded onto the new school. This will support a smooth transition from one school to the next and ensure that the student is provided for as is necessary. It will aid continuation which should ensure that there is minimal impact on the student's academic progress as a result of the move.
- **Examination authorities.** This may be for registration purposes, to allow the students at our school to sit examinations set by external exam bodies.
- **Health authorities.** As obliged under health legislation, the school may pass on information regarding the health of students in the school to monitor and avoid the spread of contagious diseases in the interest of public health.
- **Police and courts.** If a situation arises where a criminal investigation is being carried out we may have to forward information on to the police to aid their investigation. We will pass information onto courts as and when it is ordered.

- **Social workers and support agencies.** In order to protect or maintain the welfare of our students, and in cases of child abuse, it may be necessary to pass personal data on to social workers or support agencies.
- **Educational division.** Schools may be required to pass data on in order to help the government to monitor the national educational system and enforce laws relating to education. We use a Cloud –based management information system, called Progresso, as our central school database.
- **Educational Software Providers.** In order to fulfil our official authority we pass data on to carefully selected educational software providers to enhance the student learning experience, and maintain effective communication with parents. These providers are: Show my Homework (Satchel), PS Connect, Parentpay, Parents Evening system, School Fund Manager (Pebble), Live Register (catering and printing)

### **Right to be Forgotten:**

Where any personal data is no longer required for its original purpose, an individual can demand that the processing is stopped and all their personal data is erased by the school including any data held by contracted processors.

### **Photographs and Video:**

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

Unless prior consent from parents/students/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 students during such activities without prior consent.

### **Location of information and data:**

Hard copy data, records, and personal information are stored out of sight and in a locked cupboard or office. The only exception to this is medical information that may require immediate access during the school day. This will be stored with the school medical officer.

Sensitive or personal information and data should not be removed from the school site, the school provides a secure portal to access electronic data held on the school servers in addition to web based secure data.

### **The following guidelines are in place for staff in order to reduce the risk of personal data being compromised:**

- Paper copies of data or personal information should not be taken off the school site. If these are misplaced they are easily accessed. If there is no way to avoid taking a paper copy of data off the school site, the information should not be on view in public places, or left unattended under any circumstances.
- Unwanted paper copies of data, sensitive information or student files should be securely disposed of. This also applies to handwritten notes if the notes reference any other staff member or student by name.

- Care must be taken to ensure that printouts of any personal or sensitive information are not left in printer trays or photocopiers.
- If information is being viewed on a PC, staff must ensure that the window and documents are properly secured before leaving the computer unattended. Sensitive information should not be viewed on public computers.
- Laptops and USB sticks that staff use must be encrypted. Use of USB sticks is strongly discouraged.

These guidelines are clearly communicated to all school staff, and any person who is found to be intentionally breaching this conduct will be disciplined in line with the seriousness of their misconduct.

### **Data Disposal:**

The school recognises that the secure disposal of redundant data is an integral element to compliance with legal requirements and an area of increased risk. All data held in any form of media (paper, tape, electronic) shall only be passed to a disposal partner with demonstrable competence in providing secure disposal services.

All data shall be destroyed or eradicated to agreed levels meeting recognised national standards, with confirmation at completion of the disposal process.

Disposal of IT assets holding data shall be in compliance with ICO guidance:

[https://ico.org.uk/media/for-organisations/documents/1570/it\\_asset\\_disposal\\_for\\_organisations.pdf](https://ico.org.uk/media/for-organisations/documents/1570/it_asset_disposal_for_organisations.pdf)

**The school has identified a qualified source for disposal of IT assets and collections. The school also uses Printwaste Ltd to dispose of sensitive data that is no longer required.**

**Policy Updated:** March 2020