



**THE NOTTINGHAM
EMMANUEL SCHOOL**
A Church of England Academy

POLICY:

Data Protection Policy

DATE APPROVED:

July 2017

DATE OF REVIEW:

July 2019

APPROVED BY:

Senior Leadership Team

SIGNED:

Principal
D Hobbs

SIGNED:

Chair of Governors
H Shewell-Cooper

Introduction

1. Personal Data

- a. All personal data is to be managed in accordance with the Data Protection Act 1998. The Nottingham Emmanuel School (school) is a Data Controller for the purposes of the Act and has registered with the Information Commissioner
- b. The school processes personal data for the purpose of providing education, training, welfare and educational support services; administering school property; maintaining our own accounts and records; undertaking fundraising; supporting and managing our employees. We also use CCTV for security and the prevention and detection of crime fully complying with the CCTV Code of Practice issued by the ICO.

2. Types/classes of information processed

We process information relevant to the above reasons/purposes. This may include:

- personal details
- family details
- lifestyle and social circumstances
- education and employment details
- financial details
- goods and services
- disciplinary and attendance records
- vetting checks
- visual images, personal appearance and behaviour

3. Who the information is processed about

We process personal information about:

- employees
- students
- professional experts and advisers
- members of school trusts and governing bodies
- suppliers and service providers
- complainants, enquirers
- individuals captured by CCTV images

Data is Personal Data if it relates to an individual and the individual can be identified from that data. It is covered by the act if it is filed, electronically stored or processed.

4. Sensitive Personal data

This is information about an individual's:

- Race/ ethnicity
- Religious beliefs or those of a similar nature
- Political views
- Trade Union membership
- Physical or mental health
- Sexual life/orientation
- Commission or alleged commission of any offence or any related court proceedings

5. Management of Data

- a. The school is responsible for making sure that personal data is managed in accordance with the Data Protection Act. The day to day management of this is designated to the IT Systems Manager but all staff are responsible for ensuring that they read this policy and comply with it and the Data Protection Act 1998. Where a member of staff has particular responsibility for data compliance, they should make sure they understand their role. Staff are made aware that knowingly or recklessly disclosing personal data may be a criminal offence and that internal disciplinary procedures will be followed if a member of staff commits a data breach.

- b. The school will:
 - Seek to ensure that no personal data is collected unless it is necessary
 - Make sure that appropriate procedures and checks are in place to ensure compliance
 - Evaluate the efficacy of the above procedures
 - Ensure that explicit consent is given to any collection of sensitive personal data
 - Ensure that the school's notification to the Information Commissioner's Office (ICO) is kept up to date
 - Make sure that personal data in manual files is stored securely in locked filing cabinets with access restricted to designated members of staff and that electronically held personal data is stored securely, again with access restricted to designated members of staff
 - Send a letter to employees each year informing them of the data held about them, including the type of data, where it came from, who has access to it and why it is held. They will also be informed of their right to access the data and correct any inaccuracies.

6. Disclosure of data

- a. Personal data will only be disclosed to third parties in two circumstances:
 - Where the data subject has given consent (or in the case of a child without capacity under the Data Protection Act (ordinarily those under 12 years of age), their parent or guardian)
 - Where the school is required by law to disclose it.

The school will take reasonable steps to confirm the identity of a third party requesting personal data.

- b. Where a person wishes to access their own data, they must make a request in writing to the Principal. The HR Officer will check the identity of the requester and respond within 40 days. The request may be refused in whole or in part if the school has legal grounds not to comply with the request in full. Where a request is turned down, reasons for the refusal will be given.

7. Who the information may be shared with

We sometimes need to share the personal information we process with the individual themselves and also with other organisations. Where this is necessary, we are required to comply with all aspects of the Data Protection Act (DPA). What follows is a description of the types of organisations we may need to share some of the personal information we process with for one or more reasons. Where necessary or required, we share information with:

- family, associates and representatives of the person whose personal data we are processing
- educators and examining bodies
- careers service
- local and central government
- academy trusts
- healthcare, social and welfare organisations
- police forces, courts
- current, past or prospective employers
- voluntary and charitable organisations

8. Recruitment

It will be necessary for the school to collect information from candidates applying for a position within the school. The application form will ask for information relevant to the position applied for and for the applicant's explicit consent, both for the retention of data revealed by them and for the submission on request of personal data to a third party, as per section 7 above . The applicant will be informed of:

- Why the school collects the information
- How long it will be kept
- The security in place to protect the information
- How the application will be processed
- How the information given will be verified

9. Review

This policy will be reviewed at least every 2 years. The policy review will be undertaken by the Principal, or nominated representative.

10. Contacts

If you have any enquires in relation to this policy, please contact the Principal 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.gov.uk or telephone 01625 545745 3

The Nottingham Emmanuel School Privacy Notice - Data Protection Act 1998

We, **The Nottingham Emmanuel School**, are a data controller for the purposes of the Data Protection Act. We collect information from you and may receive information about you from your previous school and the Learning Records Service. We hold this personal data and use it to:

- Support your teaching and learning;
- Monitor and report on your progress;
- Provide appropriate pastoral care, and
- Assess how well your school is doing.

This information includes your contact details, national curriculum assessment results, attendance information and personal characteristics such as your ethnic group, any special educational needs and relevant medical information. If you are enrolling for post 14 qualifications, we will be provided with your unique learner number (ULN) by the Learning Records Service and may also obtain from them details of any learning or qualifications you have undertaken.

Once you are aged 13 or over, we are required by law to pass on certain information to providers of youth support services in your area. This is the local authority support service for young people aged 13 to 19 in England. We must provide both you and your parent's/s' name(s) and address, and any further information relevant to the support services' role. However, if you are over 16, you (or your parent(s)) can ask that no information beyond names, address and your date of birth be passed to the support service. Parents and students are reminded on an annual basis that they may opt out of this via the Parent's Handbook and Student Planners. For more information about young peoples' services, please go to the Directgov Young People page at www.direct.gov.uk/en/YoungPeople/index.htm.

We will not give information about you to anyone outside the school without your consent unless the law and our rules allow us to.

As an academy, we are required by law to pass some information about you to the Department for Education (DfE) and, in turn, this will be available for the use(s) of the Local Authority. Details of the student information which the DfE collects may be found here: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

If you want to see a copy of the information about you that we hold and/or share, please contact the Principal who will review your request and then delegate to a member of the Senior Leadership Team to manage the process with Student Services who will check the identity of the requester and respond within 40 days. The request may be refused in whole or in part if the school has legal grounds not to comply with the request in full. Where a request is turned down, reasons for the refusal will be given

If you require more information about how the Local Authority (LA) and/or DfE store and use your information, then please go to the following website:
<http://www.education.gov.uk/researchandstatistics/datatdatam/b00212337/datause>

If you are unable to access these websites, you may wish to contact the DfE as follows:

Public Communications Unit
Department for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT

Website: www.education.gov.uk

email: <http://www.education.gov.uk/help/contactus>

Telephone: 0370 000 2288