



# DATA PROTECTION POLICY

February 2019

## **Little Ilford's duty / Aims**

Little Ilford school collects and uses personal data about staff, pupils, parents and other individuals who come into contact with the school. This information is gathered 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. Little Ilford School is a Data collector and is registered under the ICO. The registration is reviewed annually, in accordance with the legal requirements. These details are then available on the ICO's website. Schools also have a duty to issue a Fair Processing Notice to all pupils/parents, this summarises the information held on pupils, why it is held and the other parties to whom it may be passed on to. We aim to collect, store and process the information in accordance with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA)

## **Legislation and guidance**

Our policy intends to ensure that personal data is dealt with correctly and securely and meets the necessary laws outlined within the DPA and the GDPR in compliance with the principles within Article 5 of the GDPR and the ICO. It will apply to information regardless of the way it is collected, used, recorded, stored and destroyed, and irrespective of whether it is held in paper files or electronically.

## **Roles and responsibilities**

In order for Little Ilford School to fall in line with the GDPR and DPA laws, it is at the forefront of the school's data protection policy to:

- Inform individuals why their information is being collected when it is collected.
- Check the quality and the accuracy of the information held by the school.
- Ensure the information is not retained for longer than necessary.

- Ensure that when information is out of date / no longer in use the information is destroyed/disposed of appropriately and securely.
- Ensure that clear and robust safeguards are in place to protect personal data from loss, theft and unauthorised disclosure, irrespective of the format in which it is recorded.
- The school will share information with others only when it is legally appropriate to do so.
- Set out procedures to ensure compliance with the duty to respond to requests for access to personal information known as a subject access request.
- Ensure all staff at Little Ilford School are aware of and understand our policies and procedures.

### **Data Protection Act principles**

The Data Protection Act 2018 establishes six enforceable principles that must be adhered to at all times:

1. The processing of personal data for any of the law enforcement purposes must be lawful and fair.
2. The law enforcement purpose for which personal data is collected on any occasion must be specified, explicit and legitimate, and personal data collected must not be processed in a manner that is incompatible with the purpose for which it was collected.
3. Personal data processed for any of the law enforcement purposes must be adequate, relevant and not excessive in relation to the purpose for which it is processed.
4. Personal data processed for any of the law enforcement purposes must be accurate and, where necessary, kept up to date, and every reasonable step must be taken to ensure that personal data that is inaccurate, having regard to the law enforcement purpose for which it is processed, is erased or rectified without delay.
5. Personal data processed for any of the law enforcement purposes must be kept for no longer than is necessary for the purpose for which it is processed.
6. Personal data processed for any of the law enforcement purposes must be so processed in a manner that ensures appropriate security of the personal data, using appropriate technical or organisational measure.

### **Your rights**

Under the DPA, you have the right to find out what information the government and other organisations store about you. These include the right to:

- be informed about how your data is being used
- access personal data
- have incorrect data updated
- have data erased
- stop or restrict the processing of your data
- data portability (allowing you to get and reuse your data for different services)
- object to how your data is processed in certain circumstances

### **The process of obtaining a subject request**

A subject access request gives you the right to retrieve a copy of your personal data as well as other supplementary information. If you wish to make a subject request this can be made in several ways, this can be done verbally, in writing and can be requested through social media (twitter: @LittlellfordSch) . In order for the school to keep a record you will have to fill out a form before the process commences.

As a parent you have a right to see the educational records of your child, however parents are only entitled to access the personal details held about their child if the child is unable to act on their own behalf, or if consent has been giving by the child.

It is very important for us as a school to ensure that the information being requested is sent to the right person. We will ask for any party requesting information to provide us with evidence of your identity, this can be done by providing a copy of your;

- Passport
- Utility bill with your current address
- Driving licence
- Credit Card or Mortgage statement
- **This list is not exhaustive.**

If you would like a third party to act on your behalf to obtain a subject access request, it is the responsibility of the third party to provide evidence of this entitlement. This could be through written authority to make the request.

To obtain an educational record a potential cost may be imposed.

As a school we would like you to fill out a subject access request form after the initial request has been made in order to gain as much information to aid us to provide you with all the information that has been requested. The form will be sent out along with a confirmation letter .

## **Responding to subject requests**

In accordance with the ICO's standard policy a subject access request will be dealt with one month from the day after in which the request was made.

- In most circumstances a charge for a subject access request cannot be made however, a reasonable fee can be made in cases where the request is manifestly unfounded or excessive.
- If the request is deemed as complex, we as the school have the right to ask for an additional two months to fulfil the request made.
- If any of the information requested is in the educational record, then the school should respond in 15 school days.
- The DPA says that as a school we do not have to comply with a subject access request if it would mean disclosing information about another individual who can be identified from the information, except if the other individual has consented to the disclosure or it is reasonable to comply without the individual's consent.

## **Taking photos in schools**

- **Personal use;** Parents photographing and/or videoing the school play. Consent is not needed.
- **Office school use;** photos or videos taken for use in school prospectus and on the website. Consent is needed from the person being videoed or photographed.
- **Media use:** Photos taken for a newspaper article. Consent is needed from the person being videoed or photographed

**If an image of a student is used, their name will not accompany it**

## **CCTV**

- Little Ilford School uses closed circuit television (CCTV) images to reduce crime and monitor the school buildings in order to provide a safe and secure environment for pupils, staff and visitors, and to prevent the loss or damage to school property.
- You have the right to see CCTV images of you and to ask for a copy of them. The school will provide them within 30 calendar days. You will need to provide details to help the operator to establish your identity as the person in the pictures, and to help us find the images on the system.
- The system comprises of a number of fixed and dome cameras and does not have sound recording capability
- The CCTV system is owned and operated by the school and the deployment of which is determined by the school's leadership team.

- The CCTV is monitored centrally from the Site Supervisor's office by the Site Supervisor. There is further access to the system from the offices of the Head Teacher and one of the Deputies.
- The introduction of, or changes to, CCTV monitoring will be subject to consultation with staff and the school community.
- The school's CCTV Scheme is registered with the Information Commissioner under the terms of the Data Protection Act 2018. The use of CCTV, and the associated images and any sound recordings, is covered by the Data Protection Act 2018. This policy outlines the school's use of CCTV and how it complies with the Act.
- All authorised operators and employees with access to images are aware of the procedures that need to be followed when accessing the recorded images and sound. All operators are trained by the school data controller in their responsibilities under the CCTV Code of Practice. All employees are aware of the restrictions in relation to access to, and disclosure of, recorded images and sound.
- CCTV warning signs will be clearly and prominently placed at all external entrances to the school, including school gates if coverage includes outdoor areas. Signs will contain details of the purpose for using CCTV. In areas where CCTV is used, the school will ensure that there are prominent signs placed at both the entrance of the CCTV zone and within the controlled area.
- The planning and design has endeavoured to ensure that the Scheme will give maximum effectiveness and efficiency but it is not possible to guarantee that the system will cover or detect every single incident taking place in the areas of coverage.
- Cameras will be sited so they only capture images relevant to the purposes for which they are installed (described above) and care will be taken to ensure that reasonable privacy expectations are not violated. The School will ensure that the location of equipment is carefully considered to ensure that images captured comply with the Data Protection Act.
- The school will make every effort to position cameras so that their coverage is restricted to the school premises, which may include outdoor areas.
- CCTV will not be used in classrooms with the exception of computer rooms and specialist rooms although IRIS technology may be used to record lessons for the purposes of pedagogical development
- Recorded data will not be retained for longer than is necessary. While retained, the integrity of the recordings will be maintained to ensure their evidential value and to protect the rights of the people whose images have been recorded.
- All retained data will be stored securely.

- Access to recorded images will be restricted to those staff authorised to view them, and will not be made more widely available.
- There will be no disclosure of recorded data to third parties other than to authorised personnel such as the Police and service providers to the school where these would reasonably need access to the data (e.g. investigators)
- The data may be used within the school's discipline and grievance procedures as required, and will be subject to the usual confidentiality requirements of those procedures

## **Complaints**

- Complaints regarding the way in which information is handled within the school may be referred to the Information Commissioner Office (ICO)  
<https://ico.org.uk/make-a-complaint/>

## **Disposal of records**

- Any personal data collected from the school will be disposed of in accordance to the school's disposable schedule.
- All information that is no longer necessary to retain will be disposed of securely.

## **Review**

- The Data Protection Policy will be reviewed as it is deemed necessary, but no less frequently than every 2 years. This review will be done by the Head teacher or the DPSO.

## **Data Protection Support Officer**

- The Data Protection Support Officer (DPSO) has the responsibility of upholding the law in relation to both the DPA and the GDPR and developing related policies and initiatives where applicable to the school.

**Our Data Protection support officer is:**

**Krystal Kani-Boateng.**

**Email: [Kkaniboateng.316@littleilford.org](mailto:Kkaniboateng.316@littleilford.org) Number:**

## **Websites for more information**

For further details on the Data Protection Act 2018 and the General Data Protection Regulation and the rights given to you by law, please visit these sites below:

How to access information from a public body:

<https://ico.org.uk/your-data-matters/official-information/>

Your right to access - <https://ico.org.uk/your-data-matters/your-right-of-access/>

What is the Freedom of Information Act -

<https://ico.org.uk/for-organisations/guide-to-freedom-of-information/what-is-the-foi-act/>

*Accessing pupils information -*

<https://ico.org.uk/your-data-matters/schools/pupils-info/>