

# **BOLSOVER INFANT AND NURSERY SCHOOL**

## **Data Protection Policy**

### **General Statement**

The Headteacher and Governors of this School intend to comply fully with the requirements and principles of the Data Protection Act 1998. All staff involved with the collection, processing and disclosure of personal data will be aware of their duties and responsibilities within these guidelines.

### **Enquiries**

Information about the School's Data Protection policy is available from The school office – telephone 01246 823181 and general information about the Data Protection Act can be obtained from the Derbyshire Education Department's Data Protection Liaison Officer at County Hall : 01629 580000.

### **Fair Obtaining**

The School undertakes to obtain and process personal data fairly and lawfully by informing all data subjects of the reasons for data collection, the purposes for which the data are held, the likely recipients of the data and the data subjects' rights of access. Information about the use of personal data is printed on the appropriate collection form, if details are given verbally the person collecting will explain the issues before obtaining the information.

### **Registered Purposes**

The Data Protection Registration entries for the School are available, by appointment, for inspection in the school office. Explanation of the codes and categories entered is available from the Headteacher. Who is the person nominated to deal with Data Protection issues in the school. Registered purposes covering the data held at the school are listed on the school's Registration and data collection documents. Information held for these stated purposes will not be used for any other purpose without the data subjects' consent.

### **Data Integrity**

The School undertakes to ensure data integrity by the following methods:

#### **Data Accuracy**

Data held will be as accurate and up to date as is reasonably possible. If a data subject informs the School of a change of circumstances their record will be updated as soon as is practicable. Where a data subject

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challenges the accuracy of their data, the School will immediately mark the record as potentially inaccurate (challenged). We shall try to resolve the issue informally but if this is not possible, any disputes will be referred to the Board of Governors for their deliberation.

If the problem is not resolved at this stage independent arbitration may be sought by either side. Until resolved, the challenged marker will remain and all disclosures of the affected information will contain both versions of the information. In order to prevent such problem areas we shall provide data subjects with opportunities to check their data accuracy and request amendments.

### **Data Adequacy and Relevance**

Data held about people will be adequate, relevant and not excessive to the purpose for holding the data. In order to ensure compliance with this principle, the School Clerk will check records regularly for missing, irrelevant or seemingly excessive information and may contact data subjects to verify certain items of data.

### **Length of Time**

Data held about individuals will not be kept for longer than necessary for the purposes registered. It is the duty of the School Clerk, with appropriate guidance, to ensure obsolete data are properly erased.

### **Subject Access**

The Data Protection Act extends to all data subjects a right of access to their own personal data. In order to ensure that people receive only information about themselves it is essential that a formal system of requests is in place. Where a request for subject access is received in respect of a pupil, the school's policy is that :

- Requests from parents of their own child will, provided that the child does not understand the nature of subject access requests, be processed as requests made on behalf of the data subject (the child) and the copy will be sent in a sealed envelope to the requesting parent.
- Requests from pupils who do NOT understand the nature of the request will be referred to the child's parents
- Requests from pupils who can demonstrate an understanding of the nature of their request will be processed as any subject access request as outlined below and the copy will be given directly to the pupil.

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## Processing Subject Access Requests

Students/parents should ask for the [Subject Access](#) form available from the School Office and staff should use the [Staff Request](#) form available from the Headteacher. Completed forms should be submitted to the Headteacher. Provided that there is sufficient information to process the request, an entry will be made in the Subject Access log book, indicating the date of receipt, data subject's name, name and address of requester (if different), type of data required (e.g. Student Record, Personnel Record) and planned date of supplying the information (not more than 40 days from the request date).

Should more information be required to establish either the identity of the data subject (or agent) or the type of data requested, the date of entry in the log will be the date on which sufficient information has been provided.

## Authorised Disclosures

In general, the School will only disclose data about individuals with their consent. However, there are circumstances under which the school's authorised officer(s) may wish to reveal data without express consent.

These circumstances are intentionally limited to :

- Pupil data disclosed to authorised recipients in respect of education and administration necessary for the school to perform its legitimate duties and obligations.
- Pupil data disclosed to authorised recipients in respect of their children's health, safety and welfare
- Pupil data disclosed to parents in respect of their children's progress, attendance, attitude and general demeanour within, and in the vicinity of, the school
- Staff data disclosed to the relevant authority in respect of payroll and schools' staff administration
- Other disclosures as may prove unavoidable, for example where an incidental disclosure occurs when an engineer is fixing the computer systems. In such cases, the engineer will sign a document to promise NOT to disclose such data outside the school. Education Authority IT Liaison/Support Officers are professionally bound not to disclose such data.

Only authorised and properly instructed staff are allowed to make external disclosures of personal data. Data used within the school by administrative staff, teachers and welfare workers must be made available only if the staff member **needs to know** the information for their work within the school.

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## **Data and Computer Security**

The School undertakes to ensure security of personal data by the following general methods – (for security reasons we cannot reveal precise details in this document) :

### **Physical Security**

Appropriate building security measures are in place, such as alarms, window bars, lockable cabinets, deadlocks and computer hardware cable locks. Only authorised persons are allowed in the computer room. Disks, tapes, printouts and files are locked away securely when not in use. Visitors to the school are required to sign in and out and are, where appropriate, accompanied.

### **Logical Security**

Security software is installed on all computers containing personal data, only authorised users are allowed access to the computer files and password changes are regularly undertaken. Computer files are backed up (i.e. security copies are taken) regularly. Filing cabinets should be kept locked when the room is unattended.

### **Procedural Security**

In order to be given authorised access to the computer, staff will be properly checked and will sign a confidentiality agreement. All staff are trained and instructed in their Data Protection obligations and their knowledge updated as necessary. Computer printout and source documents are always shredded before disposal.

Overall security policy is determined by the Headteacher and will be monitored and reviewed as appropriate and whenever a major security breach or loophole is apparent. The School's security policy is kept in a safe place at all times. Any queries or concerns about security of data within the school should be brought to the attention of the Headteacher.

Individual members of staff can be liable in law under the terms of this Act. They may also be subject to damages claims from persons harmed as a result of inaccuracy, unauthorised use or disclosure of their data. Any deliberate breach of this Data Protection policy will be treated as a disciplinary matter and serious breaches of the Act may lead to dismissal.

Further details on any aspect of this policy and its implementation can be obtained from the school office.

**Data Protection Act  
1998**

**Request Form for Subject Access to School Files**

**Request for Access to Personal Data**

Under the Data Protection Act 1998, you have the right to enquire of any organization whether they hold your personal data and to see a copy of that data. Individuals are called 'data subjects' in the Act.

If you require copies of data we may hold, please complete all sections below and return this form together with the necessary verification details. The information on the form will only be used to process your request and find information which relates to you. It will be kept on file to respond to any subsequent correspondence, and will not be used for any other purpose. A response will be provided within 40 days of receipt of the completed form and proof of identity.

**1. Details of Person Requesting Information**

**Full Name:**

**Date of Birth:**

**Address:**

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**Tel. No.**

**Fax No.**

**E-Mail**

**Other Address Details (if less than 3 years at above address)**

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**4. Are You the Data Subject?**

**YES:** If you are the Data Subject please supply evidence of your identity – passport, driving licence or birth certificate (**originals only**) sent by special delivery unless you are able to bring them in person. Documents will be returned by special delivery. (Please go to question 7.)

**NO:** **Are you acting on behalf of the Data Subject with their written authority? If so, that authority must be enclosed. (Please complete questions 5 and 6)**

<b>5. Details of the Data Subject (if different to 1.)</b>		
Full name		
Date of Birth		
Address		
<b>Tel. No.</b>	<b>Fax No.</b>	<b>E-Mail</b>
<b>6. Please describe your relationship with the Data Subject that leads you to make this request for information on their behalf.</b>		
<b>7. Please describe the information you require:</b>		
<b>8. Please add any additional details (such as relevant dates, contact names, references etc.)</b>		
<b>9. Does the information requested include information relating to another person (a 3<sup>rd</sup> party)? YES/NO</b>		
<b>10. Do you wish to view the information in person? YES/NO (information will otherwise be supplied in hard copy to the address supplied above)</b>		
<b>Signed</b>	<b>Date</b>	

Please note that it may be necessary to seek further information or proof of identity (of data subject or agent) before the request can be processed. If this is the case, then the statutory 40-day limit on response will start from the date that the Council receives all necessary information and proof. Every effort will be made to provide you with access or send you your details (along with an explanation of any codes or technical terms used) as soon as possible after receipt of your application.

If there is any part of this form you do not understand, or if you need further guidance, please contact the School.

Please return the completed form to the School. The following documents must accompany this application:

- evidence of your identity;
- evidence of the data subject's identity (if different from above) and their authority.

<b>Data Protection Act 1998</b>
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<b>Staff Request Form for Subject Access</b>
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To: Headteacher, Governors of Bolsover Infant & Nursery School.

Please provide me with access to or supply me with a copy of personal data held on me by the school and Derbyshire County Council. I have read and understood the instructions and conditions overleaf. Please forward this request to the relevant Chief Officers.

Signed \_\_\_\_\_ (Employee) Date \_\_\_\_\_

<b>Surname and Initials</b>	<b>Employee No.</b>
<b>Base Address/Room No</b>	<b>Home Address</b>
<b>Telephone Extension</b>	
<b>E-Mail Address</b>	
<b>Description of the Information Required (please also complete the tick boxes overleaf)</b>	
<b>Any Additional Details (such as relevant dates, contact names, references etc.)</b>	

The above member of staff has requested Subject Access rights to personal data held in Derbyshire County Council files under the Data Protection Act 1998. Please search your data files and forward to me details of the personal data requested on this employee, as defined within the Act.

Signed:

Date:

(Headteacher or Chair of Governors)

Please tick the personal data you wish to have access to:

Type of Personal Data	Please tick ✓
Employment details - Specify -	
Personal details	
Health and medical records	
Financial records	
Pay records	
Pension records	
Car allowance/loan	
Telephone allowance	
Training/development records	
Disciplinary records	
Trade union membership records	
Other (please specify)	