



St James' Lanehead Church of England Primary School

GDPR/ Data Protection Policy

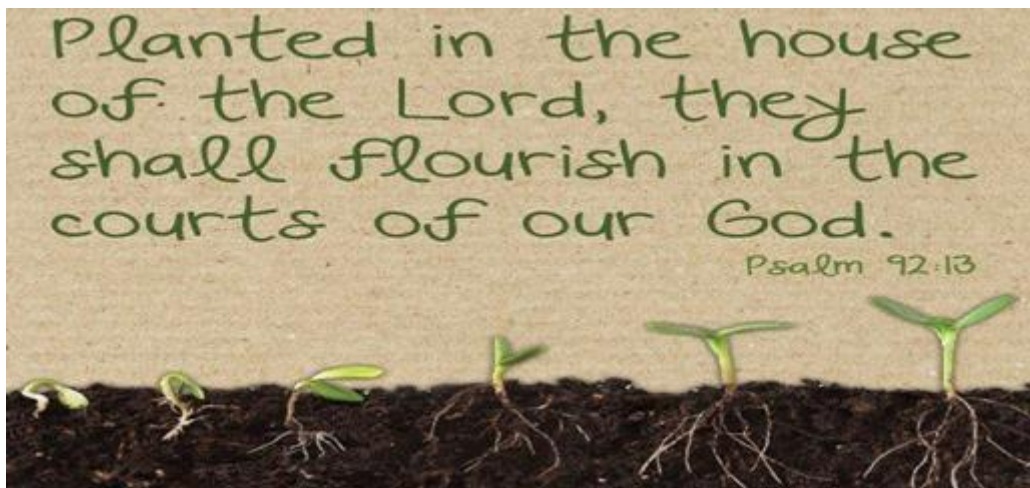
Date of Policy:	October 2022
Person Responsible:	Mrs J Bradley
To be reviewed:	Annually
Review Date:	November 2023



St James' Lanehead C of E (VA) Primary School

Mission Statement

Our church school seeks to inspire each individual to flourish, grow and learn with Jesus at the heart of all we do.



The following policy relates to all employees of St James' Lanehead CofE (VA) Primary School including voluntary, temporary, contract and seconded employees. The policy relates to all electronic and paper based information.

Statement of Intent

St James' Lanehead CofE (VA) Primary School is required to keep and process certain information about its staff members and pupils in accordance with its legal obligations under the General Data Protection Regulation (GDPR) 2018. Much of this information will be of a personal, sensitive or confidential nature.

We regard the lawful and correct treatment of personal data as very important to maintain the confidence of our stakeholders and to operate effectively.

Data Protection Principles

1. Data must be processed fairly, lawfully and in a transparent manner in relation to an individual; the lawful basis can be:
 - Consent of a data subject;
 - Processing is necessary for the performance of a contract with the data subject;
 - Processing is necessary to protect the vital interests of the data subject or another person;
 - Processing is necessary for the performance of a task carried out in the public interest;
 - Processing is necessary for the purposes of legitimate interest pursued by the controller or third party.

The lawful basis for sensitive personal data (biometric, race, political, religious, trade union, genetic, health, criminal convictions) is:

- Explicit consent of the data subject;
 - Processing is necessary for carrying out obligations under employment law;
 - Processing is necessary to protect the vital interests of the data subject or another individual where the data subject is physically or legally incapable of giving consent;
 - Processing is necessary for the exercise or defence of legal claims or where courts are acting in their judicial capacity;
 - Processing is necessary for reasons of substantial public interest;
 - Processing is necessary for the purposes of preventative occupational medicine, for assessing the working capacity of the employee.
2. Data must only be acquired for one or more lawful purposes and should not be processed for other reasons.
 3. Data must be adequate, relevant and not excessive.
 4. Data must be kept accurate and up to date.
 5. Data must not be kept for longer than necessary.
 6. Data must be processed in accordance with the data subject's rights.
 7. Appropriate measures must be taken to prevent unauthorised or unlawful access to the data and against loss, destruction or damage to data.
 8. Data must not be transferred to a country or territory unless it ensures an adequate level of protection for the rights of the subject.

Compliance

In order to comply with data protection legislation the school will:

- Act as the Data Controller;
- Appoint a member of staff as the nominated Data Protection Officer;
- Ensure staff and members of the school Governing Body receive a copy of the Privacy Notice as part of their induction;
- Ensure parents/carers receive a copy of the Privacy Notice as part of the Induction Pack for pupils starting in Reception and in year admissions;
- Maintain a Risk Register for data protection issues;
- Raise awareness of data protection, including the use of encryption;
- Offer training for staff with responsibilities for data processing;

- Ensure that all new projects have a Privacy Impact Assessment where appropriate;
- Undertake data quality checks to ensure personal data is accurate and up to date;
- Capture and manage all requests included in data protection legislation (e.g. right of access, right to erasure, right to rectification);
- Investigate all information security breaches and if reportable, report to the Information Commissioners Office within 72 hours.

Rights of the Data Subject

- The right to be informed; via privacy notices;
- The right of access; via Subject Access Requests (SARS), the timescale for response is one calendar month. SARS are free of charge; charges can only be made for further copies where requests for information are unfounded or excessive;
- The right of rectification; inaccurate or incomplete data must be rectified within one month;
- The right to erasure; individuals have a right to have their personal data erased and to prevent processing unless we have a legal obligation to do so;
- The right to restrict processing; individuals have the right to suppress processing, retaining just enough information about the individual to ensure that the restriction is respected in future;
- The right to data portability; we need to provide individuals with their personal data in a structured, commonly used, machine readable form when asked;
- The right to object; individuals can object to their personal data being used for profiling, direct marketing or research purposes.

Data Retention

The school follows the guidance issued by the Information and Records Management Society for example:

- Pupil records are held by **last place of education** until the pupil reaches 25 years of age;
- Staff records are held from the date of termination +6 years. (Accidents at work 12 years after the accident).

Please note that, should the pupil leave school for Elective Home Education or is Missing in Education then their files need to be transferred to the Records Office at Lancashire County Council. A transfer sheet needs completing in advance of the files being sent.

Contact Details

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