



DATA PROTECTION POLICY

Ayscoughlee Hall School collects and uses personal information about staff, pupils, parents and other individuals who come into contact with the school. This information is gathered in order to enable it 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. These details are then available on the ICO's website. Schools also have a duty to issue a Fair Processing Notice to all parents/carers and staff, this summarises the information held on pupils and staff, why it is held and the other parties to whom it may be passed on (See Appendix 1 and 2).

The school has a designated person who is responsible for data protection. Staff also have training to ensure they are aware of their duties and responsibilities.

Purpose

This policy is intended to ensure that personal information is dealt with correctly and securely and in accordance with the General Data Protection Regulation 2018, and other related legislation. 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.

All staff involved with the collection, processing and disclosure of personal data will be aware of their duties and responsibilities by adhering to these guidelines.

What is Personal Information?

Personal information or data is defined as data which relates to a living individual who can be identified from that data, or other information held.

The data protection principles extend to all information in education records. Examples would be names of staff and pupils, dates of birth, addresses, national insurance numbers, school markers, medical information, exam results, SEND assessments and staff development reviews.

Data Protection Principles

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

1. Personal data shall be processed fairly and lawfully;
2. Personal data shall be obtained only for one or more specified and lawful purposes;
3. Personal data shall be adequate, relevant and not excessive;
4. Personal data shall be accurate and where necessary, kept up to date;
5. Personal data processed for any purpose shall not be kept for longer than is necessary for that purpose or those purposes;
6. Personal data shall be processed in accordance with the rights of data subjects under the General Data Protection Regulation 2018;
7. Personal data shall be kept secure i.e. protected by an appropriate degree of security;

8. Personal data shall not be transferred to a country or territory outside the European Economic Area, unless that country or territory ensures an adequate level of data protection.

General Statement

The school is committed to maintaining the above principles at all times. Therefore the school will:

- Inform individuals why the information is being collected when it is collected
- Inform individuals when their information is shared, and why and with whom it was shared
- Check the quality and the accuracy of the information it holds
- Ensure that information is not retained for longer than is necessary
- Ensure that when obsolete information is destroyed that it is done so appropriately and securely
- Ensure that clear and robust safeguards are in place to protect personal information from loss, theft and unauthorised disclosure, irrespective of the format in which it is recorded
- 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 Subject Access Requests
- Ensure our staff are aware of and understand our policies and procedures

Procedures for Responding to Subject Access Requests

Set out below are Ayscoughfee Hall School's procedures for responding to subject access requests made under the General Data Protection Regulation 2018.

Rights of Access to Information

There are distinct rights of access to information held by schools and rights for data to be forgotten about pupils.

- Under the General Data Protection Regulation 2018; any individual has the right to make a request to access the personal information held about them.
- The right of those entitled to have access to curricular and educational records as defined within the Education Pupil Information (England) Regulations 2004.

These procedures relate to Subject Access Requests made under the General Data Protection Regulation 2018.

Actioning a Subject Access Request

1. Requests for information must be made in writing; which includes email, and be addressed to the Headteacher. If the initial request does not clearly identify the information required, then further enquiries will be made.
2. The identity of the requestor must be established before the disclosure of any information, and checks should also be carried out regarding proof of relationship to the child. Evidence of identity can be established by requesting production of:
 - passport
 - driving licence
 - utility bills with the current address
 - Birth / Marriage certificate
 - P45/P60
 - Credit Card or Mortgage statement

This list is not exhaustive.

3. Any individual has the right of access to information held about them. However with children, this is dependent upon their capacity to understand (normally age 12 or above) and the nature of the request. The Headteacher should discuss the request with the child and take their views into account

when making a decision. A child with competency to understand can refuse to consent to the request for their records. Where the child is not deemed to be competent an individual with parental responsibility or guardian shall make the decision on behalf of the child.

4. The school may make a charge for the provision of information, dependant upon the following:
 - If a request is manifestly unfounded or excessive we have the right to refuse or charge for that request. We would explain why the request was refused and tell the person they have the right to complain to the supervisory authority and to a judicial remedy. This must be done without undue delay and at the latest within one month.
 - If the information requested is only the educational record viewing will be free, but a charge not exceeding the cost of copying the information can be made by the Headteacher.
5. The response time for subject access requests, once officially received, is a month **(not working or school days but calendar days, irrespective of school holiday periods)**. However the month will not commence until after receipt of fees or clarification of information sought.
6. The General Data Protection Regulation 2018 allows exemptions as to the provision of some information; **therefore all information will be reviewed prior to disclosure.**
7. Third party information is that which has been provided by another, such as the Police, Local Authority, Health Care professional or another school. Before disclosing third party information consent should normally be obtained. There is still a need to adhere to the month statutory timescale.
8. Any information which may cause serious harm to the physical or mental health or emotional condition of the pupil or another should not be disclosed, nor should information that would reveal that the child is at risk of abuse, or information relating to court proceedings.
9. If there are concerns over the disclosure of information then additional advice should be sought.
10. Where redaction (information blacked out/removed) has taken place then a full copy of the information provided should be retained in order to establish, if a complaint is made, what was redacted and why.
11. Information disclosed should be clear, thus any codes or technical terms will need to be clarified and explained. If information contained within the disclosure is difficult to read or illegible, then it should be retyped.
12. Information can be provided at the school with a member of staff on hand to help and explain matters if requested, or provided at face to face handover. The views of the applicant should be taken into account when considering the method of delivery. If postal systems have to be used then registered / recorded mail must be used.
13. A record of all Subject Access Requests that require formal consideration should be kept.

Security

The School treats the security of personal data with the up most importance and appropriate security measures shall be taken against unauthorised access to, or alteration, disclosure or destruction of, personal data and against accidental loss or destruction of personal data.

Paper- based personal data will be kept in lockable filing cabinets and access to them will be limited to authorised personnel only. Staff will be made aware that papers containing confidential personal information should not be left on office and classroom desks, on staffroom tables or pinned to

noticeboards where there is general access. Where possible paper records containing personal data should not be taken out of school. However, it may be necessary to take a list of contact names and numbers when attending a school trip. It is the senior member of staff's responsibility to ensure the records are kept confidential as well as secure during the trip and returned to school.

Any electronic files containing personal information will be password protected with regular password changes. Passwords should be strong i.e. at least eight characters long and containing specific symbols. Access will also be limited.

There should only be essential and limited personal data on portable electronic devices such as laptops and memory sticks and this is protected with the installation of encryption software. Memory sticks are the main routes of data loss. They are convenient, portable and easy to lose or mislay. Holding personal data on memory sticks is strongly prohibited but if it is unavoidable then they should at the very least be encrypted and password protected. All staff are made aware of the importance of keeping portable electronic devices secure when taken off the school premises to reduce the risk of inadvertent loss or theft.

The school is aware that Staff and Governors may use their own privately owned computers for school business from time to time but it is paramount that personal data is not uploaded or stored on privately owned computers.

The Headteacher and Bursar are responsible for security of personal data and this is reviewed on a regular basis to fully assess any risk areas.

Any deliberate breaches of this policy will be treated as a disciplinary matter and serious breaches may result in dismissal for gross misconduct.

Should there be any concerns with regard to security of personal data, both potential risks or breaches, these should be referred directly to the person responsible for data protection.

If a breach is likely to result in a risk to the rights and freedoms of individuals e.g. it could result in discrimination, damage to reputation, financial loss, loss of confidentiality or other significant or social disadvantage the ICO would be notified within 72 hours along with those concerned directly.

Disposal

The school will take all reasonable steps to ensure that personal data is disposed of in a way that diminishes the risk of an unauthorised third party using it to the data subject's detriment. Confidential information that is no longer required held on paper records will be shredded and electronic memories will be scrubbed clean or destroyed.

Complaints

Complaints will be dealt with in accordance with the school's complaints policy. Complaints relating to information handling may be referred to the Information Commissioner (the statutory regulator).

Further advice and information is available from the Information Commissioner's Office, www.ico.gov.uk.

This policy is available to current and prospective parents on the School Website. It should be read in conjunction with the Acceptable Use of IT Policy, Record Keeping and Retention Policy and Staff Code of Conduct.

Any reference to the word 'School' implicitly includes all its associated clubs/activities including Kids Club. This policy also applies to EYFS

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| Clare Ogden | SMT | Autumn 2019 | Autumn 2020 | 4 |

AYSCOUGHTEE HALL SCHOOL



PRIVACY NOTICE FOR PARENTS / CARERS

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about **pupils**.

We, Ayscoughfee Hall School, are the 'data controller' for the purposes of data protection law.

Our person responsible for data protection is Mr Paul Shersby (see 'Contact us' below).

The Personal Data We Hold

Personal data that we may collect, use, store and share (when appropriate) about pupils includes, but is not restricted to:

- Contact details, contact preferences, date of birth, identification documents
- Results of internal assessments and externally set tests
- Pupil and curricular records
- Characteristics, such as ethnic background or special educational needs
- Exclusion information
- Details of any medical conditions, including physical and mental health
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs

We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.

Why We Use This Data

We use this data to:

- Support pupil learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care

- Protect pupil welfare
- Assess the quality of our services
- Administer admissions
- Carry out research
- Comply with the law regarding data sharing

Our Legal Basis for Using This Data

We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

Less commonly, we may also process pupils' personal data in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this data.

Collecting This Information

While the majority of information we collect about pupils is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

How We Store This Data

We keep personal information about pupils while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations. Our record retention schedule, available through the school office, sets out how long we keep information about pupils.

Data Sharing

We do not share information about pupils with any third party without consent unless the law and our policies allow us to do so.

Where it is legally required or necessary (and it complies with data protection law) we may share personal information about pupils with:

- Our Local Authority – to meet our legal obligations to share certain information with it, such as Early Years Funding, safeguarding concerns, and exclusions
- The Department for Education – for statutory data collections such as the school census and early years census.
- The pupil's family and representatives – for sharing information relating to a child's education and wellbeing

- Educators and examining bodies – for educating and assessing children e.g. Incas, Local Grammar schools for 11+.
- Our regulator, the Independent Schools Inspectorate - for the purposes of compliance and ensuring we are providing a good education.
- Suppliers and service providers – to enable them to provide the service we have contracted them for.
- Accounting Software Provider – to enable accounts preparation for fees and payments.
- Our auditors - for checking school accounting procedures
- Survey and research organisations – to help further the education of pupils.
- Health authorities - for national programmes e.g. weight & measure, vaccination.
- Health and social welfare organisations – to help further the wellbeing & education of pupils.
- Professional advisers and consultants – to help your child progress in their education.
- Charities and voluntary organisations – name may be shared if child fundraised.
- Police forces, courts, tribunals – if required to by law.
- Professional bodies- as required to carry out day to day management e.g. fee collection, ISA membership for team sports etc.

National Pupil Database

We are required to provide information about pupils to the Department for Education as part of statutory data collections such as the school census and early years census.

Some of this information is then stored in the [National Pupil Database](#) (NPD), which is owned and managed by the Department and provides evidence on school performance to inform research.

The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of sources including schools, local authorities and exam boards.

The Department for Education may share information from the NPD with other organisations which promote children’s education or wellbeing in England. Such organisations must agree to strict terms and conditions about how they will use the data.

For more information, see the Department’s webpage on [how it collects and shares research data](#).

You can also [contact the Department for Education](#) with any further questions about the NPD.

Transferring Data Internationally

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

Parents and Pupils’ Rights Regarding Personal Data

Individuals have a right to make a ‘**subject access request**’ to gain access to personal information that the school holds about them.

Parents/carers can make a request with respect to their child’s data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent.

Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

If you make a subject access request, and if we do hold information about you or your child, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you or your child
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request please contact our person responsible for data protection.

Other Rights

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our person responsible for **data protection**.

Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our person responsible for **data protection**.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Contact Us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our person responsible for **data protection**:

- Mr Paul Shersby – admin@ahs.me.uk

This notice is based on the [Department for Education's model privacy notice](#) for pupils, amended for parents and to reflect the way we use data in this school.

AYSCOUGHLEE HALL SCHOOL



PRIVACY NOTICE FOR STAFF

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about individuals we employ, or otherwise engage, to work at our school.

We, Ayscoughlee Hall School, are the 'data controller' for the purposes of data protection law.

Our person responsible for data protection is Mr Paul Shersby (see 'Contact us' below).

The Personal Data We Hold

We process data relating to those we employ, or otherwise engage, to work at our school. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Contact details
- Date of birth, marital status and gender
- Next of kin and emergency contact numbers
- Salary, annual leave, pension and benefits information
- Bank account details, payroll records, National Insurance number and tax status information
- Recruitment information, including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process
- Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
- Performance information
- Outcomes of any disciplinary and/or grievance procedures
- Absence data
- Copy of driving licence
- Photographs
- Data about your use of the school's information and communications system

We may also collect, store and use information about you that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

- Race, ethnicity, religious beliefs, sexual orientation and political opinions
- Trade union membership
- Health, including any medical conditions, and sickness records

Why We Use This Data

The purpose of processing this data is to help us run the school, including to:

- Enable you to be paid
- Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- Support effective performance management
- Inform our recruitment and retention policies
- Allow better financial modelling and planning
- Enable ethnicity and disability monitoring
- Improve the management of workforce data across the sector

Our Lawful Basis for Using This Data

We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:

- Fulfil a contract we have entered into with you
- Comply with a legal obligation
- Carry out a task in the public interest

Less commonly, we may also use personal information about you where:

- You have given us consent to use it in a certain way
- We need to protect your vital interests (or someone else's interests)

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you go about withdrawing consent if you wish to do so.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the school's use of your data.

Collecting This Information

While the majority of information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

How We Store This Data

We create and maintain an employment file for each staff member. The information contained in this file is kept secure and is only used for purposes directly relevant to your employment.

Once your employment with us has ended, we will retain this file and delete the information in it in accordance with our record retention schedule, this is available from the office.

Data Sharing

We do not share information about you with any third party without your consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about you with:

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding
- The Department for Education – for census reasons
- Your family or representatives – to ensure your wellbeing e.g. emergency contact.
- Educators and examining bodies – to allow accreditation on courses e.g. safeguarding
- Our regulator, Independent Schools Inspectorate - for the purposes of compliance and ensuring we are providing a good education.
- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll
- Financial organisations - as needed for payroll, pensions etc.
- Our auditors - for checking school accounting procedures.
- Survey and research organisations – to help develop the school
- Security organisations – to ensure contact with school can be made if needed.
- Professional advisers and consultants – to help develop staff expertise
- Charities and voluntary organisations – to ensure contact with school can be made.
- Police forces, courts, tribunals – if required to by law and for DBS checks.
- Professional bodies – to help develop staff expertise
- Employment and recruitment agencies – where requested by staff

Transferring Data Internationally

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

Your Rights

How to Access Personal Information We Hold About You

Individuals have a right to make a ‘**subject access request**’ to gain access to personal information that the school holds about them.

If you make a subject access request, and if we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact our person responsible for **data protection**.

Your Other Rights Regarding Your Data

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- Object to the use of your personal data if it would cause, or is causing, damage or distress
- Prevent your data being used to send direct marketing
- Object to the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our data protection officer.

Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our person responsible for **data protection**.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our person responsible for **data protection**:

- Mr Paul Shersby -- admin@ahs.me.uk

This notice is based on the [Department for Education's model privacy notice](#) for the school workforce, amended to reflect the way we use data in this school.

Ayscoughfee

Hall School



General Data Protection Regulation – Parental Consent Form

Name of Child:.....Class

Occasionally, we may take photographs of the children at our school. We may use these images in our school's prospectus or in other printed publications that we produce, as well as on our website. We may also make video recordings for school performances.

From time to time, our school may be visited by the media who will take photographs or film footage of a visiting dignitary or other interesting event. Pupils will often appear in these images, which may appear in local newspapers, or on televised news programmes.

To comply with the General Data Protection Regulation 2018, we need your permission before we can photograph or make any recordings of your child. Please answer the questions below then sign and date the form where shown. If there are any queries please do not hesitate to contact the school.

Please circle your answer

| | |
|--|----------|
| The Infant and Junior productions are held at the end of the Summer and Autumn terms respectively. We seek your permission for your child to be filmed on video/photographed during the production and at other times throughout their school career at Ayscoughfee. | Yes / No |
| Your child may also be photographed at other times including at sporting events, on outings and sometimes whilst doing special activities in the classroom. They may feature in Press Publications and on our School Website for which your permission is also sought. | Yes / No |
| May we use your child's image to post on our official Facebook page 'Ayscoughfee Hall School Life'? | Yes / No |

Conditions for use of these videos/photographs are on the back of this form. I have read and understood the conditions of use on the back of this form.

Signature: _____ (Parent/Carer)

Print name: _____

Date: _____

Conditions of School Use

- This form is valid for the period of time your child attends this school. The consent will automatically expire after this time. It is your responsibility to let us know if you want to withdraw or change your agreement at anytime which you have every right to do.
- We, the school, will not use the personal details or full names (which means first name and surname) of any child in a photographic image or video, on our website, in our school prospectus or in any of our other printed publications used outside of the school.
- We will not include personal e-mail or postal addresses, or telephone or fax numbers on video, on our website, Facebook page in our school prospectus or in other printed publications.
- If we wish to identify an individual child in a caption in any printed material used outside of the school, or on our website, we will seek your permission first.
- We may include pictures of pupils and teachers that have been drawn by the pupils.
- We may use group or class photographs or footage with very general labels, such as “a science lesson” or “making Christmas decorations”.
- We will only use images of pupils who are suitably dressed, to reduce the risk of such images being used inappropriately.
- As the child’s parents/guardian, we agree that if we take photographs or video recordings of our child/ren which include other pupils, we will use these for personal and family use only. I/we will not post any photographs or video recordings of our child/ren which include other pupils on any form of Social Media (for example Facebook, Instagram, Snapchat).