



George Stephenson
High School

DATA PROTECTION POLICY

Governance	Curriculum Committee
Policy Officers	Examinations Manager
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1	Initial Issue	SJT February 2021
2	Updated references to UK GDPR	SJT November 2022
3	Updated to include biometrics	SJT March 2023
4	Update Policy Officer	JPR March 2024

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1.0 Introduction

- 1.1 The school’s Data Protection Policy has been produced to ensure compliance with the Data Protection Act 2018 (the DPA 2018), the General Data Protection Regulation (UK GDPR) and all associated legislation,
- 1.2 The DPA 2018 gives individuals rights over their personal data and protects individuals from the erroneous use of their personal data.
- 1.3 The school is registered with the Information Commissioner’s Office as the Data Controller for the purposes of the personal data its processes about individuals.

2.0 Purpose

- 2.1 The Policy is a requirement of the DPA 2018 and UK GDPR.
- 2.2 The Policy outlines the school’s overall approach to its responsibilities and legal obligations as the ‘Data Controller’ under the DPA 2018 and UK GDPR.

3.0 Scope

- 3.1 This policy applies to all employees (including temporary, casual or agency staff), governors, contractors and consultants working for, or on behalf of, the school. It also applies to any service providers that we contract with who process personal information on behalf of the school.
- 3.2 The policy also covers any staff and students who may be involved in research or other activity that requires them to process or have access to personal data, for instance as part of a research project or as part of professional practice activities. If this occurs, it is the responsibility of the relevant school to ensure the data is processed in accordance with the DPA 2018 and that students and staff are advised about their responsibilities.

4.0 Data covered by the Policy

- 4.1 A detailed description of this definition is available from the ICO, however briefly, personal data is information relating to an individual where the structure of the data allows the information to be accessed i.e. as part of a relevant filing system. This includes data held manually and electronically and data compiled, stored or otherwise processed by the school, or by a third party on its behalf.
- 4.2 Special category data is personal data consisting of information relating to:
- Racial or ethnic origin
 - Political opinions, Religious beliefs or other beliefs of a similar nature
 - Membership of a trade union (within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992)
 - Physical or mental health or condition
 - Sexual life or sexual orientation
 - Biometric data

5.0 The Six Data Protection Principles

- 5.1 The DPA 2018 requires that the school, including staff, governors and other individuals who process personal information on behalf of the school, must comply with the six data protection principles.
- 5.2 The principles require that personal data shall:
- Be obtained and processed fairly and lawfully and shall not be processed unless certain conditions are met
 - Be obtained for a specified and lawful purpose and shall not be processed in any manner incompatible with that purpose
 - Be limited to only what is required for the purposes for which it is being collected
 - Be accurate and kept up to date
 - Not be kept for longer than is necessary for those purpose
 - Be kept safe from unauthorised or unlawful processing and against accidental loss, destruction or damage

6.0 Responsibilities

6.1 The school has an appointed Data Protection Officer to.

- Inform and advise the school and its employees about their obligations to comply with the GDPR and other data protection laws.
- Monitor the school's compliance with the GDPR and other laws, including managing internal data protection activities, advising on data protection impact assessments, conducting internal audits, and providing the required training to staff members

6.2. The DPO reports to the highest level of management at the school, which is the Governing Body.

6.3. Our Data Protection Officer service is provided by Judicium:

Data Protection Officer: Judicium Consulting Limited

Address: 72 Cannon Street, London, EC4N 6AE

Email: dataservices@judicium.com

Web: www.judiciumeducation.co.uk

Telephone: 0203 326 9174

Lead Contact: Craig Stilwell

6.4 All new members of staff and ITT students will be required to complete a mandatory training session covering GDPR as part of their induction. Existing staff will be requested to read the Data Protection section of the Staff Handbook and undertake refresher training on a regular basis.

6.5 Employees of the school are expected to:

- Familiarise themselves and comply with the six data protection principles
- Ensure any possession of personal data is accurate and up to date
- Ensure their own personal information is accurate and up to date
- Keep personal data for no longer than is necessary
- Ensure that any personal data they process is secure and in compliance with the school's information related policies and strategies
- Acknowledge data subjects' rights (e.g. right of access to all their personal data held by the school) under the DPA 2018, and comply with access to records
- Ensure personal data is only used for those specified purposes and is not unlawfully used for any other business that does not concern the school.
- Obtain consent with collecting, sharing or disclosing personal data.
- Contact enquiries@gshs.org.uk if they require advice or guidance, need to report data protection breach, or have any concerns relating to the processing of personal data under the DPA 2018. If this contact is unavailable the DPO can be contacted at dataservices@judicium.com

6.4 Students, of the school are expected to:

- Comply with the six data protection principles
- Comply with any security procedures implemented by the school.

7.0 Obtaining, Disclosing and Sharing

- 7.1 Only personal data that is necessary for a specific school related business reason should be obtained.
- 7.2 Students are informed about how their data will be processed when they agree to Data Processing Consent upon registration.
- 7.3 Upon acceptance of employment at the school, members of staff also consent to the processing and storage of their data.
- 7.4 Data must be collected and stored in a secure manner.
- 7.5 Personal information must not be disclosed to a third-party organisation without prior consent of the individual concerned unless the disclosure is legally required or permitted. This also includes information that would confirm whether or not an individual is or has been an applicant, student or employee of the school.
- 7.6 The school may have a duty to disclose personal information in order to comply with legal or statutory obligation. The DPA 2018 may permit the school to share data without consent or without informing individuals in accordance with the Right to be Informed:
1. With the police and law enforcement bodies where it is considered necessary for the prevention and detection of crime;
 2. Where the information may be necessary under enactment, for the purposes of legal proceedings and or for exercising of defending legal rights; and
 3. Where the processing is necessary because it is a task carried out for in the public interest, for example, sharing information with the local authority, for example Safeguarding and Child Protection.
- 7.7 All requests from third party organisations seeking access, to personal data held by the school should be directed to the Headteacher and the Data Protection Officer at dataservices@judicium.com The School will keep a record of all requests received from third party organisations. This information may be requested by the DPO or the Information Commissioner at any time to comply and actively evidence compliance, with Data Subjects Rights.
- 7.8 Personal information that is shared with third parties on a more regular basis shall be carried out under written agreement to stipulate the purview and boundaries of sharing. For circumstances where personal information would need to be shared in the case of ad hoc arrangements, sharing shall be undertaken in compliance with the DPA 2018.

8.0 Retention, Security and Disposal

- 8.1 Recipients responsible for the processing and management of personal data need to ensure that the data is accurate and up-to-date. If an employee, student or applicant is dissatisfied with the accuracy of their personal data, then they must inform enquiries@gshs.org.uk
- 8.2 Personal information held in paper and electronic format shall not be retained for longer than is necessary. In accordance with Data protection Principles of the DPA

2018, personal information shall be collected and retained only for business, regulatory or legal purposes.

- 8.3 In accordance with the provisions of the DPA 2018, all staff whose work involves processing personal data, whether in electronic or paper format, must take personal responsibility for its secure storage and ensure appropriate measures are in place to prevent accidental loss or destruction of, or damage to, personal data.
- 8.4 In accordance with the school's Flexible Working Policy and Procedures, staff working from home will be responsible for ensuring that personal data is stored securely and is not accessible to others.
- 8.5 All departments should ensure that data is destroyed in accordance with the Retention Schedule when it is no longer required.
- 8.6 Personal data in paper format must be shredded or placed in the confidential waste bags provided. Personal data in electronic format should be deleted, and CDs and pen drives that hold personal data passed to your I.T provider for safe disposal. Hardware should be appropriately degaussed in compliance with your I.T service provider contract to ensure the data held on the external device is screened, reviewed before being degaussed and securely destroyed.

9.0 Transferring Personal Data

- 9.1 Any transfer of personal data must be done securely in line with the school's IT Acceptable Use Policy and Online Safety Policy.
- 9.2 Email communication is not always secure and sending personal data via external email should be avoided unless it is encrypted with a password provided to the recipient by separate means such as via telephone.
- 9.3 Care should be taken to ensure emails containing personal data are not sent to unintended recipients. It is important that emails are addressed correctly and care is taken when using reply all or forwarding or copying others into emails. Use of the blind copy facility should be considered when sending an email to multiple recipients to avoid disclosing personal information to others.
- 9.4 Personal email accounts should not be used to send or receive personal data for work purpose.

10.0 Data Subjects (Subject Access Requests)

- 10.1 Under the DPA 2018, individuals (staff, pupils, parents and governors and students etc) have the following Rights:
 - Access to personal information processed by the school;
 - Object to processing of personal data that is likely to cause, or is causing, damage or distress
 - Prevent processing for direct marketing
 - Object to decisions being taken by automated means.
 - In certain circumstances, have inaccurate or incomplete personal data rectified, blocked, restricted, erased or destroyed.

- claim compensation for damages caused by a breach of the Data Protection regulations

- 10.2 Individuals can make a 'subject access request' to any member of school staff, verbally or in writing to request access to personal information the school holds about them, subject to any exemptions or restrictions that may apply.
- 10.3 The school shall use its discretion under the DPA 2018 to encourage informal access at a local level to a data subject's personal information, but the school's formal procedure for the processing of Subject Access Requests must be followed to comply with the DPA 2018.
- 10.4 Any individual who wishes to exercise their Right of Access can do so verbally or in writing. There is no legal requirement to ask the requester to keep the schools subject access request form, but it may ask the requester to do so. A copy of the school's Subject Access Request form is available on the school website or by contacting enquiries@gshs.org.uk
- 10.5 The school may not charge fee. It will only release any information upon receipt of the completed Subject Access Request Form, along with proof of identity or proof of authorisation where requests are made on the behalf of a data subject by a third party. The requested information will be provided within the statutory timescale of 1 month from receipt of the completed form.
- 10.6 For details of your other rights, please see 'Your Information, Your Rights' booklet on our website

11.0 Reporting a Data Security Breach

- 11.1 It is important the school responds to a data security breach quickly and effectively. A breach may arise from a theft, a deliberate attack on school systems, unauthorised use of personal data, accidental loss or equipment failure. Any data breach should be reported to the school via enquiries@gshs.org.uk. The Lead Investigation Officer will then inform the Data Protection Officer, and if it relates to an IT incident (including information security), should also be reported to the Headteacher and in certain circumstances to your I.T provider – please refer to the Data Breach Policy for more information.

This policy applies to all staff and pupils and contractors at the school. This includes teaching students, temporary, casual, agency staff, suppliers and data processors working for or on behalf of the school.

- 11.2 Any breach will be investigated in line with the procedures within the Data Breach Policy. In accordance with that policy, the school will treat any breach as a serious issue. Each incident will be investigated and judged on its individual circumstances and addressed accordingly.
- 11.3 If a breach occurs or is discovered outside normal working hours, it must be reported to school as soon as practicable. Note: the school must report data breaches that result, or are likely to result, in high risk to the rights and freedoms of individuals to the Information Commissioner with undue delay and in any event within 72 hours.

11.4 The school will complete a Data Breach Report that shall include the facts relating to the breach, its effect on individuals, the action taken by the school to mitigate any risks. The report must include full and accurate details of the incident, when the breach occurred (dates and times), who is reporting it, if the data relates to people, the nature of the information, and how many people are involved.

12.0 CCTV System

12.1 The school operates an overt CCTV system across the school site. This includes CCTV cameras that are located externally and internally within the school building. Images captured by the CCTV system are necessary for the prevention and detection of crime, and site security. The school has a CCTV Policy governing the details, the purposes, use and management of the CCTV system, and the school has implemented procedures that must be followed in order to ensure that the school complies with data protection, human rights and statutory codes of practice published by the Information Commissioner.

12.2 All personal data captured on the CCTV system will only be processed in accordance with the Data Protection Act 2018, the General Data Protection Regulation (UK GDPR) and any subsequent data protection legislation, and to the Freedom of Information Act 2000, the Protection of Freedoms Act 2012 and the Human Rights Act 1998. Although not a relevant authority, the school will also have due regard to the Surveillance Camera Code of Practice, issued under the Protection of Freedoms Act 2012 and the 12 guiding principles contained therein.

12.3 The school has a CCTV policy which is available on the school website

13.0 Biometric data

13.1 From September 2023 George Stephenson High School will process Biometric Data about staff and pupils as part of an automated biometric recognition system for the cashless catering system. For these purposes an individual's fingerprint is scanned using automated technology to provide him or her with services. Biometric Data is a type of Special Category Data and the school had carried out a Data Protection Impact Assessment (DPIA) in line with DFE and ICO regulations.

13.2 George Stephenson High School will ensure that parents are informed that we use biometric Data and obtain the written explicit consent of at least one parent before any Biometric data is taken from the pupil and used as part of an automated biometric recognition system. We do not process Biometric Data if a pupil under 18 years of age where:

- the child (whether verbally or non-verbally) objects or refuses to participate in the processing of their Biometric Data;
- no parent has consented in writing to the processing; or
- a parent has objected in writing to such processing, even if another Parent has given written Consent.

13.3 The school will provide reasonable alternative means of accessing catering services for staff and pupils who do not consent to the schools processing their biometric data.

- 13.5 The school will comply with any guidance or advice issued by the Department for Education on the use of Biometric Data from time to time.
- 13.6 The school has a biometrics policy which can be found on the website