



St. Mary's Catholic
Primary School
Ysgol Catholig
Santes Fair

Data Protection
Policy.

Our Mission Statement



As a Catholic family,
we will do our best to live and
learn as Christ taught us.

Our aims are designed to allow us to live out the Mission Statement.

School Aims

- a. To create a community where love, peace and joy are present and to be true to the values of the Gospel and to make our Catholic faith alive by building such a community.
- b. To develop a dynamic interaction between home, school and parish and provide a formation for each child to realise their full potential in all aspects of spiritual and moral development.
- c. To develop a zest for life and an enjoyment of learning.
- d. To allow children to respect all forms of life.
- e. To achieve high standards in academic learning.
- f. To develop creativity and a love of art, music and drama.
- g. To encourage children to learn physical skills and a knowledge and control over their own bodies to compete against themselves and others in order to raise their performance.
- h. To have experience of the Welsh Language and be introduced to Welsh culture and others from around the world to reflect the cosmopolitan nature of our school.
- i. To make sense of the world around them scientifically and by understanding other people, their history and their environment.
- j. To foster good attitudes and appropriate behaviour, manners and dress.

Data Protection Policy

St. Mary's Catholic Primary 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.

St. Mary's is the Data Controller in relation to the business of the school. It will comply with the law in this area and follow guidance issued by the Information Commissioner's Office (ICO). Details are available on the ICO's website. Schools have a duty to issue a Privacy Notice (see below) with regard to its processes in relation to data. This summarises the information held, why it is held and the other parties to whom it may be passed on. This is available on the school's website.

Purpose

This policy is intended to ensure that personal information is dealt with correctly and securely and in accordance with the General Data Protection Regulations 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.

Data Protection Principles

Article 5 of the GDPR requires that personal data shall be:

- (a) processed lawfully, fairly and in a transparent manner in relation to individuals;
- (b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- (c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;

(d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;

(e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals;

(f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

Article 5(2) requires that

“the controller shall be responsible for, and be able to demonstrate, compliance with the principles.”

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.

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).

Review

This policy will be reviewed as it is deemed appropriate, but no less frequently than every 2 years. The policy review will be undertaken by the Headteacher and governors.

Contacts

If you have any enquires in relation to this policy, please contact the Headteacher who will also act as the contact point for any subject access requests.

Further advice and information is available from the Information Commissioner's Office, www.ico.gov.uk or telephone 01625 545745 3

Appendix 1

St. Mary's Catholic Primary School

Procedures for responding to subject access requests made under the Data Protection Act 1998

Rights of access to information

There are two distinct rights of access to information held by schools about pupils.

1. Under the Data Protection Act 1998 any individual has the right to make a request to access the personal information held about them.
2. The right of those entitled to have access to curricular and educational records as defined within the Education Pupil Information (Wales) Regulations 2004.

These procedures relate to subject access requests made under the Data Protection Act 1998.

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 response time for subject access requests, once officially received, is 30 days (not working or school days but calendar days, irrespective of school holiday periods). However the 30 days will not commence until after clarification of information is sought.
5. The GDPR allows exemptions as to the provision of some information; **therefore all information will be reviewed prior to disclosure.**
6. 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 30 day statutory timescale.
7. 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.
8. If there are concerns over the disclosure of information then additional advice should be sought.
9. 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.
10. 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.
11. 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.

Complaints

Complaints about the above procedures should be made to the Chairperson of the Governing Body who will decide whether it is appropriate for the complaint to be dealt with in accordance with the school's complaint procedure.

Complaints which are not appropriate to be dealt with through the school's complaint procedure can be dealt with by the Information Commissioner. Contact details of both will be provided with the disclosure information.

Appendix 2

GDPR Privacy Notice

Who processes your information?

St. Mary's Catholic Primary School (referred to as 'St. Mary's' throughout the remainder of this notice) is the data controller of the personal information you provide to us. This means the school determines the purposes for which, and the manner in which, any personal data relating to pupils and their families is to be processed.

In some cases, your data will be outsourced to a third party processor; however, this will only be done with your consent, unless the law requires the school to share your data. Where the school outsources data to a third party processor, the same data protection standards that St. Mary's upholds are imposed on the processor.

Mr. Lyndon Watkins is the data protection officer. Their role is to oversee and monitor the school's data protection procedures, and to ensure they are compliant with the GDPR. The data protection officer can be contacted on 01656 815560 or at admin.stmarys@bridgend.gov.uk

Why do we collect and use your information?

St. Mary's holds the legal right to collect and use personal data relating to pupils and their families, and we may also receive information regarding them from their previous school, LA and/or the DfE. We collect and use personal data in order to meet legal requirements and legitimate interests set out in the GDPR and UK law, including those in relation to the following:

- Article 6 and Article 9 of the GDPR
- Education Act 1996
- Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013

In accordance with the above, the personal data of pupils and their families is collected and used for the following reasons:

- To support pupil learning
- To monitor and report on pupil progress
- To provide appropriate pastoral care
- To assess the quality of our service
- To comply with the law regarding data sharing
- To safeguard pupils

Which data are collected?

The categories of pupil information that the school collects, holds and shares include the following:

- Personal information – e.g. names, pupil numbers and addresses
- Characteristics – e.g. ethnicity, language, nationality, country of birth and free school meal eligibility
- Attendance information – e.g. number of absences and absence reasons
- Assessment information – e.g. national curriculum assessment results
- Relevant medical information
- Information relating to Special and Additional Learning Needs
- Behavioural information – e.g. number of temporary exclusions

Whilst the majority of the personal data you provide to the school is mandatory, some is provided on a voluntary basis. When collecting data, the school will inform you whether you are required to provide this data or if your consent is needed. Where consent is required, the school will provide you with specific and explicit information with regards to the reasons the data is being collected and how the data will be used.

How long is your data stored for?

Personal data relating to pupils at St. Mary's and their families is stored in line with current law and/or guidance.

In accordance with the GDPR, the school does not store personal data indefinitely; data is only stored for as long as is necessary to complete the task for which it was originally collected.

Will my information be shared?

The school is required to share pupils' data with the Welsh Government (WG) on a statutory basis.

The National Pupil Database (NPD) is managed by the DfE and the WG; it contains information about pupils in schools in England and Wales. St. Mary's is required by law to provide information about our pupils to the WG as part of statutory data collections, such as the school census; some of this information is then stored in the NPD. The WG may share information about our pupils from the NPD with third parties who promote the education or wellbeing of children in England and Wales by:

- Conducting research or analysis.
- Producing statistics.
- Providing information, advice or guidance.

The WG has robust processes in place to ensure the confidentiality of any data shared from the NDP is maintained.

St. Mary's will not share your personal information with any third parties without your consent, unless the law allows us to do so. The school routinely shares pupils' information with:

- Pupils' destinations upon leaving the school
- The LA
- The NHS
- The WG

What are your rights?

Parents and pupils have the following rights in relation to the processing of their personal data.

You have the right to:

- Be informed about how St. Mary's uses your personal data.
- Request access to the personal data that St. Mary's holds.
- Request that your personal data is amended if it is inaccurate or incomplete.
- Request that your personal data is erased where there is no compelling reason for its continued processing.
- Request that the processing of your data is restricted.
- Object to your personal data being processed.

When the use of data is based on your consent, you have the right to withdraw this consent at any time.

If you have a concern about the way St. Mary's and/or the WG is collecting or using your personal data, you can raise a concern with the Information Commissioner's Office (ICO). The ICO can be contacted on 0303 123 1113, Monday-Friday 9am-5pm.

Declaration:

I understand / that:

- St. Mary's has a legal and legitimate interest to collect and process my personal data in order to meet statutory requirements.
- How my data is used.
- St. Mary's may share my data with the WG, and the LA.
- St. Mary's will not share my data with any other third parties without my consent, unless the law requires the school to do so.
- St. Mary's will always ask for explicit consent where this is required, and I must provide this consent if I agree to the data being processed.
- My data is retained in line with the school's GDPR Data Protection Policy.
- My rights with regard to the processing of my personal data.
- Where I can find out more information about the processing of my personal data.

Signed: _____

Printed Name: _____