



**ST BERNARD'S PREPARATORY SCHOOL**

**DATA PROTECTION POLICY**

**ADVENT 2018**

# **St Bernard's Preparatory School**

## **DATA PROTECTION POLICY**

### **Mission Statement**

**With God as our shelter and Christ as our guide, the mission of St Bernard's Preparatory School is to educate towards love and service to God, each other and the wider community. Through our broad balanced curriculum we will develop an understanding of each faith and the values we share. We will treat each person with respect, knowing we are special and unique.**

**St Bernard's is part of the St Benedict's family of schools. All schools in the group share a similar Catholic and Benedictine/Bernardine ethos.**

### **INTRODUCTION**

St. Bernard's Preparatory School believes that protecting the privacy of our staff and pupils and regulating their safety through data management, control, and evaluation is vital to whole-school and individual progress. The school collects personal data from pupils, parents, and staff and processes it in order to support teaching and learning, monitor and report on pupil and teacher progress, and strengthen our pastoral provision.

We take responsibility for ensuring that any data that we collect and process is used correctly and only as is necessary. The school will keep parents fully informed of how data is collected, what is collected, and how it is used. National curriculum results, attendance and registration records, special educational needs data, and any relevant medical information are examples of the type of data that the school needs. Through effective data management we can monitor a range of school provisions and evaluate the wellbeing and academic progression of our school body to ensure that we are doing all that we can to support both staff and students.

*St. Bernard's Preparatory School is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. It is our aim that all pupils fulfil their potential.*

## **Aims**

In line with the Data Protection Act 1998, and following principles of good practice when processing data, the school will:

- ensure that data is fairly and lawfully processed
- process data only for limited purposes
- ensure that all data processed is adequate, relevant and not excessive
- ensure that data processed is accurate
- not keep data longer than is necessary
- process the data in accordance with the data subject's rights
- ensure that data is secure
- ensure that data is transferred to with adequate protection.

There may be circumstances where the school is required either by law or in the best interests of our pupils or staff to pass information onto external authorities, for example the local authority, ISI or the department of health. These authorities have their own policies relating to the protection of any data that they receive or collect.

Under no circumstances will the school disclose information or data:

- that would cause serious harm to the child or anyone else's physical or mental health or condition
- indicating that the child is or has been subject to child abuse or may be at risk of it, where the disclosure would not be in the best interests of the child
- that would allow another person to be identified or identifies another person as the source, unless the person is an employee of the school or local authority or has given consent, or it is reasonable in the circumstances to disclose the information without consent. The exemption from disclosure does not apply if the information can be edited so that the person's name or identifying details are removed.

## **Requesting data**

Parents/guardians have a right, under the Data Protection Act, to request information that the school has collected about their children by any data controller.

## **Educational record**

Parents/guardians can request, in writing, to see their children's educational record, and the school will comply within 40 calendar days. This record may include:

- a statement of special educational needs
- their personal education plan (PEP) – the document provided by social care to the school if a child is looked-after
- a record of information kept by the school, for example relating to behaviour or family background, which:
  - is processed by or on behalf of the governing body or a teacher at any maintained or special school
  - relates to a past or present pupil
  - originates from any teacher or other employee at the pupil's school or former school (in the case of a voluntary aided, foundation or foundation special school or a special school not maintained by a LA), or is supplied by or on behalf of them
  - originates from the pupil to whom the record relates or the pupil's parent, or is supplied by or on behalf of them

A parent or carer can request to see their child's educational record, or request it on behalf of their child, in writing. The information will be presented within 15 days of the request. If there is a cost of retrieving the information, for example if a copy must be made, the governing body may charge the parent amount that it will cost but no more. Other than this, there will be no charge for the information requested.

### **Privacy notice**

Please refer to Appendix 1 for St Bernard's privacy notice.

### **Staff**

We are legally obliged to protect certain information about our staff. Staff who wish to access their own personal information can make a subject access request under the Data Protection Act 1998. Disclosure of these records will be made once third party information has been removed in accordance with the Data Protection Act 1998. The school will comply with any such request within 40 days.

### **Access to data and disclosure: Third parties**

Personal data about pupils will not be disclosed to third parties without the consent of the child's parent or carer, unless it is obliged by law or in the best interest of the child. Data may be disclosed to the following third parties without consent:

- **Other schools**  
If a pupil transfers from St. Bernard's Preparatory School to another school, their academic records and other data that relates to their health and welfare will be forwarded onto the school. This will support a smooth transition from one school to the next and ensure that the child is provided for as is necessary.
- **Examination authorities**  
This may be for registration purposes, to allow the pupils at our school to sit examinations set by external exam bodies.
- **Health authorities**  
As obliged under health legislation, the school may pass on information regarding the health of children in the school to monitor and avoid the spread of contagious diseases in the interest of public health.
- **Police and courts**  
If a situation arises where a criminal investigation is being carried out we may have to forward information on to the police to aid their investigation. We will pass information onto courts as and when it is ordered.
- **Social workers and support agencies**  
In order to protect or maintain the welfare of our pupils and in cases of child abuse, it may be necessary to pass personal data on to social workers or support agencies.
- **Educational division**  
Schools may be required to pass data on in order to help the government to monitor the national educational system and enforce the Education Act.

### **School staff**

School staff will have restricted access to pupils' personal data and will be given access only on a 'need to know' basis in the course of their duties within the school. All staff are informed of the Data Protection Act and how their conduct must correspond with this. Staff will use data only for the

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purpose for which it is collected, and any staff found to be in breach of this will be disciplined in line with the seriousness of their misconduct.

### **Location of information and data**

Data, records, and personal information should be stored out of sight and in a locked cupboard no matter what format it is in. The only exception to this is medical information that may require immediate access during the school day. This will be stored in the Medical room.

Sensitive or personal information and data should ideally not be removed from the school site; however the school acknowledges that some staff may need to transport data between the school and their home in order to access it for work in the evenings and at weekends. This may also apply in cases where staff have offsite meetings, or are on school visits with pupils. The following guidelines are in place for staff in order to reduce the risk of personal data being compromised:

- Paper copies of data or personal information should not be taken off the school site. If these are misplaced they are easily accessed. If there is no way to avoid taking a paper copy of data off the school site, the information should not be on view in public places, or left unattended under any circumstances.
- Unwanted paper copies of data, sensitive information or pupil files should be shredded. This also applies to handwritten notes if the notes reference any other staff member or pupil by name.
- Care must be taken to ensure that printouts of any personal or sensitive information are not left in printer trays or photocopiers.
- If information is being viewed on a PC, staff must ensure that the window and documents are properly shut down before leaving the computer unattended. Sensitive information should not be viewed on public computers.

These guidelines are clearly communicated to all school staff, and any person who is found to be intentionally breaching this conduct will be disciplined in line with the seriousness of their misconduct.

### **Retention of data**

St Bernard's Preparatory School will not keep personal data on pupils for any longer than is necessary. Information such as statistical data and information that is collected to be kept as part of school records will be retained while the pupil attends this school and transferred to the next school. It is very important that all examination results certificates and records indicating the progress of a pupil are safely kept by their parents/carers as the school does not keep this information once the pupil has left.

### **Applies to**

Whole School including Early Years Foundation Stage (EYFS).

### **Related Documents**

Reporting Policy, Assessment Policy, ICT Policies

### **Availability**

This policy is made available to parents; a copy may be obtained from the school office when requested.

### **Monitoring and Review**

*St. Bernard's Preparatory School is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. It is our aim that all pupils fulfil their potential.*

The Trustees will undertake a formal review of this policy for the purpose of monitoring the efficiency with which the related duties have been discharged, bi-annually or earlier if significant changes to the systems and arrangements take place, or if legislation, regulatory requirements or best practice guidelines so require.

Signed by \_\_\_\_\_

Headmaster \_\_\_\_\_

Date \_\_\_\_\_

Chair of Governors \_\_\_\_\_

Date \_\_\_\_\_

## Appendix 1: Privacy Notice - Data Protection Act 1998

We, St Bernard's Preparatory School, are a data controller for the purposes of the Data Protection Act. We collect information and may receive information about from previous school sand the Learning Records Service. We hold this personal data and use it to:

- Support teaching and learning;
- Monitor and report progress;
- Provide appropriate pastoral care;
- Assess how well the school is doing.

This information includes contact details, national curriculum assessment results, attendance information and personal characteristics such as ethnic group, any special educational needs and relevant medical information.

We will not pass on information to anyone outside the school without specific consent unless the law and our rules allow us to.

We are required by law to pass some information about to the Local Authority and the Department for Education (DfE). Requests to access personal information should be addressed to the Registrar in writing.

If you require more information about how the Local Authority (LA) and/or how DfE store and use your information, then please go to the following websites:

<https://www.slough.gov.uk/council/key-statistics-and-data/> and

<https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data>

or contact them by post:

Slough Borough Council  
Landmark Place  
High Street  
Slough  
SL1 1JL  
Telephone: 01753 475111

Public Communications Unit  
Department for Education  
Great Smith Street  
London  
SW1P 3BT  
Telephone: 0370 000 2288