

# Birkdale High School



## Data Protection Policy



## Birkdale High School Data Protection Policy

*Date of Policy:* June 2014  
*Members of staff responsible:* H Duffy  
*Review Date:* June 2016

### **Aims and Objectives**

Birkdale High School is required to keep certain personal data about its staff and students in order to fulfil its purpose and to meet its legal obligations to funding bodies and government. To comply with the law, information must be collected and used fairly, stored safely and not disclosed to any other person unlawfully. To do this, the school must comply with the Data Protection Principles which are set out in the Data Protection Act, 1998.

This policy is intended to ensure that personal information is obtained and processed correctly and securely. 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.

### **What is Personal Information/Data?**

Personal information or data is information which relates to a living individual who can be identified from that data, or from that data in addition to other information available to them. Personal data includes (but is not limited to) an individual's, name, address, date of birth, photograph, national curriculum assessment results, attendance information, bank details and other information that identifies them. The school processes the data to

- Support its pupils' teaching and learning
- Monitor and report on their progress
- Provide appropriate pastoral care, and
- Assess how well the school as a whole is doing.

### **Data Protection Principles**

The Data Protection Act 1998 establishes eight 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 Data Protection Act 1998;
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.

[http://www.ico.gov.uk/for\\_organisations/data\\_protection/the\\_guide.aspx](http://www.ico.gov.uk/for_organisations/data_protection/the_guide.aspx)

## **Policy 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**

Any breach of this policy will be taken seriously and may result in formal action being taken. Any member of staff or student (or their Parent / Guardian), who considers that the policy has not been followed in respect of personal data about themselves, should raise the matter with the Operations Manager in the first instance.

## **Responsibilities of Staff and Students**

All staff and students (or their Parent / Guardian) are responsible for:

- Checking that any personal data that they provide to the school is accurate and up to date
- Informing the school of any changes to information which they have provided.
- If, as part of their responsibilities, staff collect information about staff and/or students, they must comply with the Policy.
- Staff must ensure that personal data or images relating to students or staff, are processed and kept securely, in line with the Data Protection Act 1998.

## **Rights to Access Information**

All staff and students (or their Parent / Guardian) have the right to access any personal data that is being kept on them whether electronically or in manual filing systems. Any person who wishes to exercise this right should make the request in writing to the Operations Manager. The School aims to comply with requests for information as quickly as possible, but will ensure that it is provided within 40 calendar days of receipt of a request, unless there is good reason for a delay. In such cases, the reason for the delay will be explained in writing to the individual making the request.

## **Recipients of Data**

Personal data will not be disclosed to other third parties without the consent of the parent / legal guardian, unless obliged by law and unless it is in the best interest of the child.

Personal data will therefore be accessed and disclosed as follows:

### **a) Access:-**

Restricted staff members of the school will access personal data on a need to know basis in the course of executing their duties. The professional staff requiring such data is fully aware of the obligations the school has under the Data Protection Act, and they will only use the data for the purposes for which it was collected.

### **b) Disclosure:-**

The school endeavours to inform students and their parents / legal guardians when there is a possibility that personal data may be disclosed to third parties, and will ask for consent where applicable. However, there are instances where personal data will have to be disclosed without consent to the following third parties:

- Education Division – to evaluate and develop education policies related to state schools, to enforce the Education Act where required, and to monitor the national educational system.
- Other schools – where a student is transferred to another school, all academic records and other data related to the welfare and health of the students are forwarded to the other school, for continuation purposes.
- Examination Authorities – to enable our students to sit for examinations as part of the examinations process.
- Health Authorities – to avoid contagious diseases or epidemics as obliged under health legislation in the interest of public health.
- Hospitals / Clinics / other medical professional – where a student needs medical treatment due to illness or injuries suffered by him / her. Health inspections are also conducted as part of the health monitoring programme for school children.
- Police – in cases of criminal investigations and in the interest of law and order.
- Social workers / Support agencies – where the welfare of the student is not being maintained and in cases of child abuse.
- Courts – as ordered.

## **Retention of Personal Data**

The school will keep some forms of information for longer than others.

The school has a Retention of Records Policy which gives further details.

## **The Data Controller**

Birkdale High School is the Data Controller under the Act and is therefore ultimately responsible for implementation. However, day to day matters will be dealt with by the Operations Manager.

## Contact Details

To make a request for information, please contact the Operations Manager by email, fax or letter.

Email: [mail@birkdalehigh.co.uk](mailto:mail@birkdalehigh.co.uk)

Fax: 01704 570451

Contact Address: Ms Karen Anslow, Operations Manager  
Birkdale High School, Windy Harbour Road  
Southport PR8 3DT