



ST. EDWARD'S
OXFORD

DATA PROTECTION POLICY
FOR
PUPILS, PARENTS AND GUARDIANS

Version:	3.1
Date:	July 2019
Person Responsible for Policy:	Data Protection & Compliance Manager
Approved By:	Information Technology Steering Committee (ITSC)
Review Cycle:	Annual – Next Review in May 2020

Introduction

St Edward's School is committed to protecting the personal information of individuals when they use its services. This policy is to help its pupils, parents and guardians, understand why and how the School collects their personal information and for what purpose.

Definitions and references

- **Personal data** means information that relates to an identifiable, living individual;
- **Sensitive personal data** are special categories of personal data;
- **Data subject** means an individual whom particular data is about;
- **General Data Protection Regulation** is referred to as 'GDPR' in this policy; and
- **St Edward's School** is referred to as 'the School' in this policy.

Statement and scope of the policy

The School collects and processes personal data of its data subjects such as pupils, current, past or prospective, parents and guardians.

This processing may include obtaining, recording, and holding, disclosing, destroying or otherwise using data that relates to the data subjects.

This policy is intended to provide information about how the School uses (or "processes") personal data, to ensure that all such data is stored and processed accurately, securely and purposefully in a timely manner. The School shall take all reasonable steps to abide by the latest data protection legislation in accordance with this Policy.

Registration as Data Controller

St Edward's School is registered as the Data Controller with the Information Commissioner's Office (ICO).

This information is provided in accordance with the rights of individuals under:

- **Data Protection Act 1998** (until 25th May 2018);
- **General Data Protection Regulation (GDPR)** (from 25th May 2018)

Key principles of General Data Protection Regulation (GDPR)

The School will comply with the following principles set out by GDPR and ensure that personal data will be:

- Processed fairly, lawfully and in a transparent manner;
- Collected for specified, explicit and legitimate purposes and not further processed for other purposes incompatible with those purposes;
- Adequate, relevant and limited to what is necessary in relation to the purposes for which data is processed;
- Accurate and, where necessary, kept up-to-date;

- Kept in a form that permits identification of data subjects for no longer than is necessary for the purposes for which the personal data is processed; and
- Processed in a way 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.

Purpose

The School collects, holds and processes personal data in order to:

- carry out its duties and manage its day to day operations as a provider of education and an employer;
- support pupil learning;
- monitor and report on pupil progress;
- provide appropriate pastoral care;
- safeguard pupils;
- provide a safe and secure environment; and
- fulfil the School's contractual and legal obligations.

Data Collection

The School obtains this information by asking for details to be provided through forms and via other communication means including emails. The School may get information from the data subjects directly, or from members of staff, other pupils, relevant educational organisations and professionals such as doctors etc.

Personal Data held by the School

The School maintains paper, electronic and other formats of records of personal data.

The School collects, holds and may share personal data including:

- name, address, email and other contact details of its data subjects and next of kin details;
- characteristics (such as ethnicity, language, nationality, country of birth);
- attendance information (such as lessons attended, number of absences and absence reasons);
- photographs, recordings or other images;
- unique pupil number, national curriculum assessment results, test scores, assessment and prior education information;
- financial information in relation to the payment of fees; and
- expression of opinion about an individual and any indication of the intentions of the School or any other person in respect of the individual.

Sensitive Personal Data held by the School

Sensitive personal data includes information and data relating to:

- racial or ethnic origin;
- political opinion;

- religious beliefs or other beliefs of a similar nature;
- trade union membership;
- physical or mental health condition and special educational needs information;
- sexual life;
- commission or alleged commission of a criminal offence;
- medical information and behavioural information; and
- genetic data, and biometric data where processed to uniquely identify an individual.

Privacy Notice and fair processing

The School will be transparent about the intended processing of data and will communicate these intentions via notifications to its data subjects prior to the processing of their data.

The School has published a privacy notice for pupils, parents and guardians and a separate privacy notice for staff, which describe why and how the School collects and uses personal data and provides information about individuals' rights.

Legal basis for processing data

This section provides information about the legal basis for the School to process personal data:

Consent: The School does not share data and information about its data subjects with anyone unless clear consent has been given for the School to process such data for a specific purpose, unless the law and the policies allow it to do so. In general, the School will only disclose data about individuals with their consent.

If the data subject wishes to withdraw or change consent preferences at any time, they must inform the Data Protection & Compliance Manager, in writing;

Contractual: where the processing of the data is necessary to perform its obligations under the contract;

Legal obligation: where the processing of the data is necessary for the School to comply with the law (not including contractual obligations);

Legitimate interest: where the processing of the data is necessary in providing an educational service, safeguarding and facilitating the efficient operation of the School; and

Vital and public interest: where the processing of the data is necessary to prevent harm and is carried out in the public interest.

Handling of Data

The scope of this policy extends to all School departments, employees, pupils, relevant contractors, parents and guardians who use or access the School's data assets and information systems.

Only staff with appropriate authorisations from the School have access to personal data. The School may make use of personal data relating to pupils, parents and guardians in the following ways:

- **Photographs and Recordings:** The School maintains a database of photographs and recordings for internal and external publications. This includes material of individuals engaged in activities and events in the interest of creating pictorial records as well as maintaining historical records. The School shall not utilise identifiable images for publications or other communication without prior consent.

The School may use personal data including CCTV recordings for the purposes of crime prevention and investigation and also in connection with its obligation to safeguard the welfare of pupils, staff and visitors to the School site. Further information about the use of CCTV can be found in the School's CCTV Policy.

- **Promotional Purposes:** With prior consent from the data subjects, data may be used for fundraising or promotional purposes and to maintain contact with individuals including pupils, parents and alumni for development and marketing purposes.
- **Authorised Disclosures of Personal Data to Third Parties:** Any information which falls under Personal Data, and is not otherwise exempt from other processing interests such as legitimate or contractual interests, will remain confidential and will be disclosed to third parties only with the consent of the appropriate individual or under the terms of this Policy. In order to send out School publications, contact details of the individuals may need to be shared with trusted suppliers.

Details of the third parties that the School has contracts and shares data with to run its operations can be requested from the Data Protection and Compliance Manager. If a third party processes personal data on the School's behalf, the School fulfils its obligations and procedures to ensure that processing takes place in compliance with the latest data protection laws.

The School may process some personal data for research, statistical information and reporting. This will not identify the pupil unless prior consent has been obtained.

Exemptions

There may be circumstances where the School is required either by law or other authorities such as the Police or the Local Authority Designated Office, to pass information externally.

This may include but is not limited to information which identifies individuals, information which the School reasonably believes is likely to cause damage or distress, or information which is subject to legal professional privilege or is relevant to the prevention or detection of crime.

Data may be disclosed to authorities in respect of educational records. The School is not required to disclose any pupil examination scripts. The School will treat as confidential any reference given by the School for the purpose of the education, training or employment, or prospective education, training or employment of any pupil.

The School shall be at liberty to disclose facts to an educational establishment, which the pupil may be transferred to, is subsequently attended by the pupil or to which application for a place has been made.

There may be medical circumstances under which the School's authorised staff may need to disclose data without the express consent of the individual. These circumstances may include an emergency in the School such as a medical emergency or to prevent or detect crime.

Data Transfer

Personal data transfers outside the School are carefully considered and all steps are taken to ensure the security of the data. Data is only transferred to trusted organisations who are compliant with the latest data protection legislation.

Data Retention and Record Keeping

The School has a duty to retain personal data for a period of time for legal and other legitimate reasons. Some data will be retained following a pupil's departure from the School.

The School's Data Retention Policy defines the length of time for which personal data and records are kept.

Accountability and staff responsibilities

- **All Staff**

All School staff in whatever role or level within the organisation including Governors, volunteers, relevant contractors and temporary staff working for the School have the responsibility to abide by this policy.

All staff involved with the collection, processing and disclosure of personal data will be aware of their duties and responsibilities by following the guidelines and information will be shared on a need to know basis. Guidance is available in the School's IT Monitoring Policy and Acceptable Use Policy.

- **Bursar**

The Bursar has the overall responsibility for data protection within the School.

- **Data Protection & Compliance Manager**

The Data Protection & Compliance Manager has the delegated responsibility for overseeing the School's Data Policy and ensuring compliance with all relevant data protection legislation and is responsible for ensuring that processes are in place to safeguard the integrity of the School's data.

- **Warden**

The Warden is ultimately responsible for the enforcement of this policy. The Warden is also responsible for ensuring that appropriate action is taken in the event of a breach of this policy or an incidence of non-compliance which may lead to a breach occurring.

- **Information Technology Steering Committee (ITSC)**
The ITSC is responsible for the ongoing review and approval of data protection related policies and approving the implementation of data protection related controls.
- **Governors**
The Governors have the overarching responsibility for ensuring the School's commitment to this policy and data protection.

Ensuring compliance

Training and guidance to comply with the latest data legislation is provided to all staff. All new staff will be trained on the data protection requirements as part of their induction.

Additional group and individual training sessions are provided as required.

Data subject rights

Data subjects have the right to:

- object to the processing of personal data that is likely to cause, or is causing, damage or distress;
- prevent processing for the purpose of direct marketing;
- object to decisions being taken by automated means;
- have inaccurate personal data rectified, and in certain circumstances, blocked, erased or destroyed; and
- access information that the School holds about the individual.

Accuracy

The School endeavours to ensure that all personal data held is up-to-date and accurate. Data subjects should inform the School of any changes to personal details. An individual has the right to request that any incorrect data about them is rectified or corrected.

Right of Access

Individuals have the right of access to their personal information, held by the School, within a reasonably practical timescale in line with the latest legislation. The School will verify the identity of the person making the request before any information is supplied.

An individual should make this request in writing to the School's Data Protection & Compliance Manager.

Right to Erasure

Individuals hold the right to request the deletion or removal of personal data where there is no compelling reason for its continued processing.

Data Breach and Complaints Procedure

If an individual believes that the School has not complied with this notice or acted otherwise than in accordance with the data protection legislation, or believes that a data breach has occurred, they should contact the School's Data Protection & Compliance Manager, in writing.

The School will take all steps possible to ensure that it is rectified or corrected. All notifiable breaches will be reported to the relevant supervisory authority within the necessary time frame and guidelines.

If an individual believes that the School has not complied with their data protection rights, they have the right to make a complaint to the ICO. The ICO is the UK supervisory authority for data protection issues.

Audit and Review

To ensure compliance with the latest data protection legislation, the School will undertake periodic audits of systems and business processes to identify areas of non-compliance or improvement.

This policy will be reviewed periodically and updated in accordance with changes in legislation.

Further Information and References

If you would like any further information about anything within this policy or require a copy of the other policies that have been referred to within this policy, please contact the School's Data Protection & Compliance Manager at datamanager@stedwardsoxford.org

The following links provide access to more information regarding data protection and the rights of individuals.

Data Protection Act 1998

<http://www.legislation.gov.uk/ukpga/1998/29>

The Data Protection Act – Your Rights and the Law – UK Government

<https://www.gov.uk/data-protection/the-data-protection-act>

<https://www.gov.uk/government/publications/data-protection-toolkit-for-schools>

<https://www.gov.uk/government/publications/guide-to-the-general-data-protection-regulation>

Information Commissioners Office (ICO)

<https://ico.org.uk/for-organisations/guide-to-data-protection/>

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/>

[Some information for this policy has been acquired from the ISBA Website.](#)