



Data Protection Policy (Staff responsibilities)

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1. **Data Protection – Staff responsibilities**

Under the Data Protection Act, the School as a data user is responsible for the personal data held and used for professional purposes.

Our School is required to ensure;

- That it provides an annual notification to the Office of the Information Commissioner of the general purposes for which it processes personal data; and
- That all personal data are held and processed in accordance with the 'Eight Principles of the Data Protection Act' set out in legislation.

The kind of information we keep on computer or in manual records, the purposes for which the information is kept, where we obtain it from and whom we might disclose it to, are recorded in the School's notification to the Information Commissioner's Office.

The Information Systems Manager keeps the records of the School's notification under the Data Protection Act and ensures renewal of registration on an annual basis.

Staff are responsible for;

Checking that any personal data that they provide to the school is accurate and up to date and to inform the school of any changes to information which they have provided.

Staff must ensure that personal data or images relating to students (or staff) are processed in line with the Data Protection Act 1998. Personal data or images relating to students must not be sent via email, over the internet or via other messaging systems. Personal data or images relating to students (or staff) may only be held on the school network and must not be saved to an external drive without prior permission from the Data Manager. The Data Manager should be consulted prior to commencing any activity or process relating to student personal data or images.

Personal data or images relating to students (or staff) may only be removed from the school premises using an encrypted, password protected USB device.

For raising with the Information Systems Manager, any issues relating to notification of data on which they are uncertain. While there are exemptions from certain provisions of the Act for specified types of personal data holding, these are often not as straightforward as might first appear and it should always be assumed in the first instance that notification of all personal data is required;

For handling and processing data in accordance with the 'Eight Principles of the Data Protection Act' (see below). The School will seek to maintain staff awareness on this.

It cannot be emphasised too strongly that it is an offence for personal data to be held in the School, which is not covered by the School's notification to the Information

Commissioner. If convicted of such an offence the School (and possibly individuals) will be liable to incur substantial penalties.

Staff are therefore urged to familiarise themselves with the 'Eight Principles of the Data Protection Act' since staff awareness and compliance with the DPA provisions are the most effective deterrent to contravention.

The 'Eight Principles of the Data Protection Act' are that;

- Personal data shall be processed fairly and lawfully;
- Personal data shall be obtained and processed only for one or more specified and lawful purposes;
- Personal data shall be adequate, relevant and not excessive;
- Personal data shall be accurate, and where necessary, kept up-to-date;
- Personal data shall not be kept for longer than is necessary;
- Personal data shall be processed in accordance with the rights of data subjects;
- Appropriate measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data;
- Personal data shall not be transferred to a country or territory outside the EEA, unless adequate data protection rights are ensured.

2. **Freedom of Information Act**

The Freedom of Information Act 2000 came fully into force 1 January 2005. There is now a legal right for any person to ask a school for access to information held by that school. Schools are under a duty to provide advice and assistance to anyone requesting information. Enquirers do not have to say why they want the information and the request does not have to mention the Freedom of Information Act. The request must be in writing, which includes fax or email. All requests that are not covered by the Data Protection Act 1998 (i.e. from individuals to see their own personal information) or Environmental Information Regulations 1992 are covered by FOIA.

Our School has a publication scheme under the FOIA which details the categories of information we publish. Copies of the scheme are held in both School Office and the M.I.S. Office.

Staff should be aware that individuals can request information and that our School has a prescribed time limit for responding to requests. Queries should be referred to the Information Systems Manager.

3. Dealing with a request for information

A request for information may be covered by one, or all, of three information rights;

- Data Protection enquiries (or subject access requests) are ones where the enquirer asks to see what personal information the school holds about the enquirer. If the enquiry is a Data Protection request, follow the eight principles of the DPA.
- Environmental Information Regulations enquiries are ones which relate to air, water, land, natural sites, built environment, flora and fauna, and health, and any decisions and activities affecting any of these. These could therefore include enquires about recycling, phone masts, schools playing fields, car parking etc. If the enquiry is about environmental information refer to the School Business Manager.
- Freedom of Information enquiries are concerned with all other information and the reasoning behind decisions and policies. The request does not have to mention the

FOI Act. All requests for information that are not data protection or environmental information requests are covered by the FOI Act.