



Teagues Bridge Primary

Access to Personal data

November 2021



www.teaguesbridgeprimary.org

Access to Personal Data

Written on:	23 rd July 2016
Reviewed on:	18 th November 2021
Staff Responsibility	Mrs S. Abdulla
Governor responsibility	Rose Gregory

General Statement

The headteacher and the Governors of the school intend to comply fully with the requirements and principles of the Data Protection Act 1998, Human Rights Act 1998, and Freedom of Information Act 2000 in relation to the management of personal data in the school.

- The school will endeavour to ensure that all processing is appropriately registered/notified and will review and update notified entries.
- All staff involved with the collection, processing and disclosure of personal data will be made aware of their duties and responsibilities within these guidelines.
- Staff deliberately acting outside their recognised authority may be subject to appropriate disciplinary proceedings. It is recognised that other legislation may override Data Protection Law.

Enquires and Information

Enquires about this policy should be made to the school business manager, Mrs Louise Inwood, who can also provide further information about school procedures.

Fair obtaining

The school undertakes to obtain information fairly and lawfully by informing all data subjects of the reasons for its collection, the purposes for which the data will be held, where possible the likely recipients, and the data subject's rights of access.

Information about the use of personal data is printed on the appropriate collection forms.

Data uses and processes

The school will not use or process personal information that contravenes its statutory or registered purposes. Any new purposes for data processing introduced will, where appropriate, be notified to the individual and, if required by law, their consent will be sought. A copy of the up to date notification/registration will be kept at the school for inspection purposes.

In general, the school will only process data with the subject data's consent (or with the consent of parents/guardian acting on behalf of their child). There may be exceptions, where processing is necessary for example for the school to comply with its other legal obligations or to protect the vital interests of the data subject. Only authorised and properly instructed staff are allowed to make external disclosures of personal data. Data used within the school should be made available to staff only if they need to know for their work in the school.

Data Integrity

Information will only be held for as long as is necessary for registered/notified period after which details will be deleted.

Data held will be accurate and up-to-date as is reasonable possible. If a data subject informs the school of a change of circumstances their record will be updated as soon as possible. Information received from a third party will be recorded as such.

Where a data subject challenges the accuracy of their data, and it cannot be updated immediately, or where the new information needs to be checked for accuracy and validity, a marker will be placed on the record, indicating the nature of the dispute or delay. The school will try to resolve the issue informally and

amicably with the individual but if this is not possible any disputes will be referred to the governing body.

Security

The school undertakes ensure the security of personal data to prevent unauthorised individuals and staff from gaining access to personal information. These include:

Physical Security

- Appropriate building security will be maintained through alarm system and controlling access to the school offices and rooms where personal data systems are kept.
- Secure storage/filing systems, locked cabinets, and clear desk policy.
- Safe storage of computer data on the Telford and Wrekin LA cloud (risk of fire, theft, other damage or loss).
- Lap top computers ~ on site and off site

Logical Security

- Password protection and controls for electronic access of information, including networks
- Passworded screensavers, read only files (prevent unauthorised amendment).
- Password changes are made regularly.

Procedures and Protocols

- Only authorised personnel have access to personal data records.
- The school has protocols for the removal and transfer of personal data from its normal storage area, including transfer within school and removal off-site.

- All staff are made aware of their responsibilities for data protection and for general security matters and their knowledge is updated as required.
- Redundant data will be destroyed in accordance with the school's procedures for disposing of confidential materials.

Subject access/subject information requests

Any person whose details are held/processed by the school (data subjects) have a general right to receive a copy of their own information. There are a few exceptions to this rule, such as data held for child protection or crime detection/prevention purposes.

The school will respond in writing to requests for access to pupil's records within 15 school days and for all other types of record within the 40 days allowed by the Data Protection Act.

The school's policy for dealing with requests for subject access in respect of a pupil is:

- Requests from parents/legal guardians in respect of their own child will, provided that the child does not understand the nature of the subject access requests, be processed as requests on behalf of the data subject (the child).
- Requests from pupils who do not understand the nature of the request will be referred to the child's parents.
- Requests from pupils who demonstrate an understanding of the nature of their request will be processed as any subject access request as outlined below.
- The data controller (headteacher or authorised person acting on his/her behalf) will make the judgement about whether a child has a necessary level of understanding, and will seek guidance from the information commissioner and/or Local Authority in the event of a dispute.

A subject access/information request should be submitted on the appropriate forms wherever possible to ensure that the school has the required information to be able to conduct a data search and fulfil the request.

Where information is not available from school but is processed by the LA (such as admissions and transfers) the request will be directed to the appropriate officer.

In some cases, especially with requests not submitted on the appropriate forms, further information may need to be required from the requester which may delay the start of the 40 day maximum period.

Repeat requests will be fulfilled unless deemed unreasonable, such as second request received as soon after the first that it would be impossible for the details to have changed. (The school will not normally charge for processing requests, but this will be reviewed in the light of the numbers and types of requests received)

Complaints and Appeals

Complaints, disputes or challenges as described above should be first taken up with the School Business Manager (Mrs L. Inwood) or an authorised person acting on her behalf.

Subject Access Request FormSection 1

This form is used by Teagues Bridge Primary School to help you to receive information we hold and process about you, the data subject (Subject is the term used for the person whose information is held by the school).

Please complete the forms as fully as possible. If you do not it could make it difficult for use to process your request.

If you are applying on behalf of another person, with their consent, please include proof of your right to do so. If you need help completing this form please speak to a member of the school office.

Data Subject's name: _____

Address:

Post code: _____

Previous address if you have moved since your detail were given to the school:

Post code: _____

Section 2

Please select YES or NO

Are you the data subject named above	YES	NO	If YES, please go to section 4
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Are you the parent/guardian of the child ~ pursuing your separate right to access your child's official educational records	YES	NO	If YES, please go to section 4
Are you the parent/guardian of the child and acting on behalf of a child who does not understand the nature of their own access rights?	YES	NO	If YES, please go to section 3
Are you acting on behalf of the person named above	YES	NO	If YES, please go to section 3

Section 3

If you are acting on behalf of the data subject, do you have written permission?

YES/NO ~ if YES, please attach a copy and proceed to section 3a.

3a. please complete the following declaration:

I _____ (Applicant) declare that I am an agent acting on behalf of the data subject, with their full knowledge and written consent (enclosed), or on behalf of a child who does not understand the nature of the request and I am acting in their interest. I will only disclose the information to the data subject except with further authorisation from them.

Signed: _____ Agent/Parent

Now complete the details in section 4

3b Details of the agent

Agents Name: _____

The school has 15 school days to respond to a request for educational records and 40 calendar days to respond to other requests. The information you provide on this form will be used for the purpose of processing your request.