

# Data Protection Policy



## **Bridgewater's Data Protection Officer**

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## **Introduction**

Bridgewater recognises and accepts its responsibility as set out in the Data Protection Act 2018 (the Act). The School, as a data controller, will take all reasonable steps to meet this responsibility and to promote good practice in the handling and use of personal information.

This policy statement applies to all Bridgewater School governors and employees, and individuals about whom the school processes personal information, as well as other partners and companies with which the school undertakes its business.

## **Rationale**

The School needs to collect and use certain types of personal information about people with whom it deals in order to operate. These include current, past and prospective employees, pupils, suppliers, clients, and others with whom it communicates. In addition, it may be required by law to collect and use certain types of information to comply with the requirements of government departments. This personal information must be dealt with properly however it is collected, recorded and used - whether on paper, in a computer, or recorded on other material - and there are safeguards to ensure this in the Act.

We regard the lawful and correct treatment of personal information by the School as very important in order to secure the successful carrying out of operations and the delivery of our services, and to maintaining confidence with those whom we deal. The School will treat personal information lawfully, correctly and in compliance with legislative requirements.

## **Fair Obtaining and Processing**

Bridgewater undertakes to obtain and process data fairly and lawfully by informing all data subjects of the reasons for data collection, the purposes for which the data are held, the likely

recipients of the data and the data subjects' right of access. Information about the use of personal data is printed on the appropriate collection form. If details are given verbally, the person collecting will explain the issues before obtaining the information.

Our privacy notice can be found at Annex A.

## **Aims and Objectives**

The School will, through appropriate management and application of criteria and controls:

- observe fully conditions regarding the fair collection and use of information;
- meet its legal obligations to specify the purposes for which information is used;
- collect and process appropriate information, and only to the extent that it is needed to fulfill operational needs or to comply with any legal requirements;
- ensure the quality of information used, including its accuracy and relevancy for the purpose(s) specified;
- apply strict checks to determine the length of time information is held;
- ensure that the rights of people about whom information is held can be fully exercised under the Act. (These include: the right to be informed that processing is being undertaken: the right of access to one's personal information; the right to prevent processing in certain circumstances; the right to correct, block or erase information which is regarded as erroneous);
- take appropriate technical and organisational security measures to safeguard personal information; and
- ensure that personal information is not transferred abroad without suitable safeguards.

In addition, the School will take steps to ensure that:

- there is someone with specific responsibility for data protection in the organisation;
- everyone managing and handling personal information understands that they are contractually responsible for following good data protection practice;
- everyone managing and handling personal information is appropriately trained to do so;
- everyone managing and handling personal information is provided with guidance and training;
- anybody wanting to make enquiries about handling personal information knows what to do;
- queries about handling personal information are dealt with in 28 days;
- methods of handling personal information are clearly described;
- an annual review and audit is made of the way personal information is managed;
- methods of handling personal information are annually assessed and evaluated;
- performance of handling personal information is annually assessed and evaluated; and

- it disseminates to employees, information on good practice in respect of handling, using and storing personal information.

## **Processing Rights of Access Requests**

We will deal with simple requests for personal data as business as usual. More complicated requests will be dealt with under our Right of Access procedures.

RARs must be submitted to the School Business Manager.

Provided that there is sufficient information to process the request, an entry will be made in the Right of Access log book, showing the date of receipt, the data subject's name, the name and address of requester (if different), the type of data required (e.g. Student Record, Personnel Record), and the planned date for supplying the information (not more than 28 days from the request date).

Should more information be required to establish either the identity of the data subject (or agent) or the type of data requested, the date of entry in the log will be date on which sufficient information is provided.

In the case of any written request from a parent regarding their own child's record, access to the record will be provided within 28 days.

## **Information Sharing**

We may share information with third parties where there is a legal obligation to do so, or there is a relevant public interest, or to enable us to carry out official functions, or where we have consent to do so.

Only authorised and trained staff are allowed to disclosure personal information to a third party

## **Data and Computer Security**

Bridgewater undertakes to ensure security of personal data by the following general methods:

### **Physical Security**

Appropriate building security measures are in place, such as alarms, window bars, deadlocks and computer hardware cable locks. Only authorised persons are allowed in the computer room. Disks, tapes and printouts are locked away securely when not in use. Visitors to the school are required to sign in and out, to wear identification badges whilst in the school and are, where appropriate, accompanied.

## **Logical Security**

Security software is installed on all computers containing personal data. Only authorised users are allowed access to the computer files and password changes are regularly undertaken. Computer files are backed up (i.e. security copies are taken) regularly.

## **Procedural Security**

In order to be given authorised access to the computer, staff will have to undergo checks and will sign a confidentiality agreement. All staff are trained in their Data Protection obligations and their knowledge updated as necessary. Computer printouts as well as source documents are shredded before disposal.

Overall security policy for data is determined by the Governing Body and is monitored and reviewed regularly, especially if a security loophole or breach becomes apparent. The School's security policy is kept in a safe place at all times.

Article 33 of the GDPR requires data controllers to report breaches of personal data to the Information Commissioner's Officer, and sometimes the affected data subject(s), within 72 hours of discovery if the incident is likely to result in a risk to the rights and freedoms of the data subject(s). Therefore it is vital that the School has a robust system in place to manage, contain, and report such incidents. The Information Security Incident Management Policy details how the School will handle and manage information security incidents when they arise.

Any queries or concerns about security of data in the school should in the first instance be referred to the Business Manager.

Individual members of staff can be personally liable in law under the terms of the Data Protection Act. They may also be subject to claims for damages from persons who believe that they have been harmed as a result of inaccuracy, unauthorised use or disclosure of their data. Breaches of this Data Protection Policy will be treated as a disciplinary matter, and serious breaches could lead to dismissal.

## **Monitoring & Review**

A copy of this policy statement will be issued to all employees. It will be reviewed periodically, added to, or modified from time to time and may be supplemented in appropriate cases by further statements and procedures relating to the work of the particular groups of workers.

Agreed:                      October 2020  
Date of review:            Summer 2021

# Annex A

## Privacy Notice (How we use pupil information)

*The categories of pupil information that we collect, hold and share include:*

- Personal information (such as name, unique pupil number and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information
- Information relevant to the welfare of pupils and their needs within the educational setting e.g. SEN information, behaviour, exclusions.

*Why we collect and use this information*

We use the pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to safeguard pupils
- to comply with the law regarding data sharing

*The lawful basis on which we use this information*

We collect and use pupil information where legislation (including the General Data Protection Regulation or 'GDPR') requires or allows us to do so (Article 6 GDPR) or, in the case of special category data within the meaning of GDPR, where this is (for example) necessary for reasons of substantial public interest (Article 9 GDPR).

### Collecting pupil information

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

*Storing pupil data*

We hold pupil data in accordance with the Information and Records Management Society's Retention Guidelines for Schools.

*Who we share pupil information with*

We routinely share pupil information with:

- schools that the pupil's attend after leaving us
- our Local Authority

- the Department for Education (DfE)
- West End Schools' Trust (WEST)
- School Improvement Partner
- Health Services
- Social Services
- Safeguarding Services
- Learning Platforms
- Data tracking providers
- External providers who deliver sessions in our school; during the school day and after school.
- Instant Nursery Manager (those who access our 0-3 and wraparound provision)

### *Why we share pupil information*

We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so.

We share pupils' data with the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

We are required to share information about our pupils with our local authority (LA) and the Department for Education (DfE) under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

### *Data collection requirements:*

To find out more about the data collection requirements placed on us by the Department for Education (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

### **The National Pupil Database (NPD)**

The NPD is owned and managed by the Department for Education and contains information about pupils in schools in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the Department. It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

We are required by law, to provide information about our pupils to the DfE as part of statutory data collections such as the school census and early years' census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The department may share information about our pupils from the NPD with third parties who promote the education or well-being of children in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data.

Decisions on whether DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested: and
- the arrangements in place to store and handle the data

To be granted access to pupil information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the department's data sharing process, please visit:

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

For information about which organisations the department has provided pupil information, (and for which project), please visit the following website:

<https://www.gov.uk/government/publications/national-pupil-database-requests-received>

To contact DfE: <https://www.gov.uk/contact-dfe>

### *Requesting access to your personal data*

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, please contact:

Adam Beechey, Business Manager - 0191 274 5290 or please ask at the school office.

You also have the right to:

- object to 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
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

## **Contact**

If you would like to discuss anything in this privacy notice, please contact:

Adam Beechey, Business Manager - 0191 274 5290 or please ask at the school office.

## **Privacy Notice (How we use school workforce information)**

*The categories of school workforce information that we collect, process, hold and share include:*

- personal information (such as name, address, employee or teacher number, national insurance number, medical information)
- special categories of data including characteristics information such as gender, age, ethnic group
- contract information (such as start dates, hours worked, post, roles and salary information)
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)

### *Why we collect and use this information*

We use school workforce data to:

- enable the development of a comprehensive picture of the workforce and how it is deployed
- inform the development of recruitment and retention policies
- enable individuals to be paid
- enable the safeguarding of pupils

### *The lawful basis on which we process this information*

We collect and use information where legislation (including the General Data Protection Regulation or ‘GDPR’) requires or allows us to do so (Article 6 GDPR) or, in the case of special category data within the meaning of GDPR, where this is (for example) necessary for reasons of substantial public interest (Article 9 GDPR).

### *Collecting this information*

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain school workforce information to us or if you have a choice in this.

### *Storing this information*

We hold pupil data in accordance with the Information and Records Management Society’s Retention Guidelines for Schools.

## **Who we share this information with**

We routinely share this information with:

- our local authority
- the Department for Education (DfE)

## **Why we share school workforce information**

We do not share information about workforce members with anyone without consent unless the law and our policies allow us to do so.

## **Local authority**



We are required to share information about our workforce members with our local authority (LA) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

### **Department for Education (DfE)**

We share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment educational attainment.

We are required to share information about our school employees with our local authority (LA) and the Department for Education (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

### **Data collection requirements**

The DfE collects and processes personal data relating to those employed by schools (including Multi Academy Trusts) and local authorities that work in state funded schools (including all maintained schools, all academies and free schools and all special schools including Pupil Referral Units and Alternative Provision). All state funded schools are required to make a census submission because it is a statutory return under sections 113 and 114 of the Education Act 2005

To find out more about the data collection requirements placed on us by the Department for Education including the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

The department may share information about school employees with third parties who promote the education or well-being of children or the effective deployment of school staff in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The department has robust processes in place to ensure that the confidentiality of personal data is maintained and there are stringent controls in place regarding access to it and its use. Decisions on whether DfE releases personal data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested; and
- the arrangements in place to securely store and handle the data

To be granted access to school workforce information, organisations must comply with its strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the department's data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

To contact the department: <https://www.gov.uk/contact-dfe>

### **Requesting access to your personal data**

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If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

### **Further information**

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