



Data Protection Policy

Borrass Park Community Primary School

Signed: _____ Chair of the Governing Body

Date agreed:

Proposed review date:

EIA Completed September 2021

Accessible Formats

This document is available in English and Welsh in Microsoft Word and pdf formats in Comic Sans font size 12 as standard.

Other accessible formats including large print, Braille, BSL DVD, easy-read, audio and electronic formats, and other languages can be made available upon request.

To request a copy of this document in an accessible format contact Borrass Park Community Primary School (01978 346890).

Introduction

Borras Park Community Primary School recognises and accepts its responsibility as set out in the Data Protection Act 1998 and sub-legislation contained therein. 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. In particular the School will comply with the Data Protection Principles set out in the 1998 Act.

This policy statement applies to all 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.

Scope

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 Data Protection Act 1998.

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 wishes to ensure that it treats personal information lawfully, correctly and in compliance with the 1998 Act.

To this end we fully endorse the obligations of the Act and adhere to the Principles of data protection, as enumerated in the 1998 Act.

The following paragraphs provide a brief aid to the Data Protection Act 1998.

1. Main Provisions of the 1998 Legislation

- (a) Ensuring Data Controllers notify their processing of personal data with the Information Commissioners Office. The School must supply certain information to the Commissioner who maintains a public register of the types of information organisations process, where it gets it from and what it does with it.
- (b) Observing the eight Data Protection Principles (more detail below).
- (c) Allowing the data subject to exercise his/her rights and have right of access to their personal information, what is held, how it is processed, to whom it is disclosed and to be told of the logic behind automated decisions. Such access requests must be complied within 40 days and the maximum chargeable fee is £10.

2. Definitions

Data Controller	Any individual or organisation who controls personal data, in this instance the School.
Personal Data:	Information held on a relevant filing system, accessible record or computerized record (as well as digital audio or video equipment), which identifies living individuals.
Sensitive Personal Data:	Personal data relating to an individuals race or ethnic origin, political opinions, religious beliefs, physical/mental health, trade union membership, sexual life and criminal activities.
Relevant Filing System:	Also known as manual records i.e. a set of records which are organised by reference to the individual/their criteria and are structured in such a way as to make specific information readily accessible e.g. personnel records, microfiches.
Data Subject:	An individual who is the subject of the personal data, for example, employees, pupils, claimants etc.
Processing:	Obtaining, recording or holding data or carrying out any operation on the data including organising, adapting, altering, retrieving, consulting, using, disclosing, disseminating, aligning, blocking, erasing or destroying the data.
Accessible Records	Any records which are kept by the Organisation as part of a statutory duty, eg pupil records, housing tenancy records, social services records.

3. Data Protection Principles

Specifically, the Principles require that personal information:

1. shall be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions as set out in the 1998 Act are met;
 2. shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes;
 3. shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed;
 4. shall be accurate and, where necessary, kept up to date;
 5. shall not be kept for longer than is necessary for that purpose or those purposes;
 6. shall be processed in accordance with the rights of the data subject under the 1998 Act;
- and that:
7. appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data;

8. shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

Commitment

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 fulfil 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 1998 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.

Compliance

In addition, the School takes 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 appropriately supervised;
- anybody wanting to make enquiries about handling personal information knows what to do;
- queries about handling personal information are promptly and courteously dealt with;
- methods of handling personal information are clearly described;
- a regular review and audit is made of the way personal information is managed;
- methods of handling personal information are regularly assessed and evaluated;
- performance of handling personal information is regularly assessed and evaluated; and

- it disseminates to employees, information on good practice in respect of handling, using and storing personal information.
 - A copy of this policy statement will be issued to all employees. It will be reviewed annually, 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.
 - The school also follows the guidance in the Wales Accord on the sharing of personal information enclosed as an appendix to this scheme.
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Equality Impact Assessment

Responsible Officer (Head Teacher)	Rob Nicholson
Assessment Owner	Rob Nicholson
e-mail address	headteacher@borraspark-pri.wrexham.sch.uk
Full job title	Headteacher
Title of Policy	Data protection Policy
Rationale: Why is it being considered? What need is being addressed?	Annual Policy update/ Statutory requirement Policy update
Aim: What is the intended outcome of the policy?	
How: How will it be delivered, by whom and by when?	Delivered by all staff
Who: Who are the people likely to be affected by this policy? How have you consulted with the people who are likely to be affected?	Administrative staff, Teachers, teaching assistants Discussed at staff meetings.
Measures: How will you know you have achieved your aims? What are your measures / indicators of success?	Policy will be reviewed and updated where necessary. Policy will be shared with all GB and teachers.
Identify any other policy or decision [internal or external] that may affect your proposal. Consider this in terms of: <ul style="list-style-type: none"> • Statutory requirements; local policies e.g. • Regional decisions e.g. those made by cross county partnerships for your schools; and / or • National policies e.g. Welfare Reforms 	This is a statutory policy which has to be reviewed annually.

	Carers	Age CYP	Age Adults	Disability	Gender / Sex	Pregnancy and Maternity	Race/ Ethnicity	Religion or Belief	Sexual Orientation	Marriage and Civil Partners-hip	Gender Reassignment	Poverty	Welsh language / culture
Q1 Would this proposal significantly affect how functions are delivered to any of these groups?													
Q2 Would this discriminate against any of these groups?													
Q3 Would this proposal advance the equality of opportunity for these groups?	+	+	+	+	+	+	+	+	+	+	+	+	+
Q4 Would this promote good relations between these groups and the wider community?													

Where you have identified a positive impact (+) in the Screening Tool, please outline this briefly using bullet points:

- It will ensure that children are safeguarded. Any concerns regarding child abuse are dealt with as a matter of urgency.
- It will ensure that pupils affected by poverty, through neglect are identified and that support mechanisms are put in place.

If your proposal will not have any impact on 'people' please outline why this is the case below:

PLEASE NOTE:

It is very rare that a project or proposal will not impact on people (you should also consider staff as well as client users/customers)
If your policy or change is as a result from a UK or Welsh Government directive, then you should impact assess the impact of this policy or change locally.

If you have indicated a possible negative effect on any Protected Characteristic within the screening tool, please complete the relevant sections of the Matrix below that correspond to that possible negative effect. You will need to consider:

- **What is the likely scale of the impact and how this can be reduced?**
- **Who are the people that are likely to be affected by this proposal, could they experience multiple disadvantage e.g. if they are young and have a disability.**

EIA: Are we being fair?

Please complete the <u>relevant</u> sections of the Matrix below that correspond to any ‘-’ symbols you have recorded in the screening tool	List what information you have used to identify these issues e.g. consultation, stakeholder involvement, reports, data ...	Based on the information you have gathered give a summary of key issues that have been identified.	How will you mitigate these issues to improve the service?	Who is officer responsible for delivering the mitigation?	Which other partners will you work with to achieve this? (Governors, PTA etc.)	By when
Age CYP						
Age Adult						
Disability						

Please complete the <u>relevant</u> sections of the Matrix below that correspond to any ‘-‘ symbols you have recorded in the screening tool	List what information you have used to identify these issues e.g. consultation, stakeholder involvement, reports, data ...	Based on the information you have gathered give a summary of key issues that have been identified.	How will you mitigate these issues to improve the service?	Who is officer responsible for delivering the mitigation?	Which other partners will you work with to achieve this? (Governors, PTA etc.)	By when
Gender / Sex						
Pregnancy and Maternity						
Race/ Ethnicity						
Religion or Belief						
Sexual Orientation						
Marriage and Civil Partnership						
Gender Reassignment						
Welsh Language						

Please complete the <u>relevant</u> sections of the Matrix below that correspond to any ‘-‘ symbols you have recorded in the screening tool	List what information you have used to identify these issues e.g. consultation, stakeholder involvement, reports, data ...	Based on the information you have gathered give a summary of key issues that have been identified.	How will you mitigate these issues to improve the service?	Who is officer responsible for delivering the mitigation?	Which other partners will you work with to achieve this? (Governors, PTA etc.)	By when
and Culture						
Poverty						

Evidence Documents

Please list any documents that you have used in the EIA process as evidence, such as consultation reports; service user data; CENSUS or ONS statistics; etc. by title and where it is held should it be required in the event of a challenge.

The Data Protection Act 1998 <https://www.gov.uk/data-protection/the-data-protection-act>

The Freedom of Information Act.

Linked EIAs

Please list any other EIAs that may be linked to this one, such as operational EIAs if this is a strategic EIA.

Freedom of information Policy

Follow Up

Please respond to the following questions within **12 months** of implementation of the policy:

- a) Was any mitigation applied or was the proposal delivered as originally planned prior to the Equality Impact Assessment?
- b) Were the intended outcomes of the proposal achieved or were there other results?
- c) Were the impacts confined to the people you initially thought would be effected, or were other people affected? How?