



SPRINGWELL COMMUNITY COLLEGE

# Data Protection Policy

<b>DATE ISSUED</b>	November 2015 (Gobs Jan 2016)	<b>REVIEW DATE</b>	January 2017
<b>COMMITTEE</b>	Student	<b>AUTHOR</b>	S Birks

## **General Statement**

The college is required to process relevant personal data regarding its staff, students and their parents/carers as part of its operation and shall take all reasonable steps to do so in accordance with this policy. Processing may include obtaining, recording, holding, disclosing, destroying and otherwise using data. In this policy any reference to staff includes current, past or prospective staff.

## **Data Protection Controller**

The Data Protection Controller (DPC) for the college is the Assistant Headteacher, Curriculum and Assessment, but on a day to day basis this is delegated to the Network Manager, who will endeavour to ensure that all personal data is processed in compliance with this policy and the principles of the Data Protection Act 1998.

## **Principles**

The college shall so far as is reasonably practicable, comply with the Data Protection Principles (“the principles”) contained in the Data Protection Act to ensure all data is:

- Fairly and lawfully processed
- Processed for a lawful purpose
- Adequate, relevant and not excessive
- Accurate and up to date
- Not kept for longer than necessary
- Processed in accordance with the data subject’s rights
- Secure
- Not transferred to other countries without adequate protection

## **Personal Data**

Personal data covers both facts and opinions about an individual. The college may process a wide range of personal data of staff, students and their parents/carers as part of this operation. This personal data may include (but is not limited to) names and addresses, bank details, academic, disciplinary, attendance records and references.

## **Processing of personal data**

Information will only be released to persons outside the college with the express permission of staff, students and their parents/carers unless compelled to do so by legal proceedings.

## **Sensitive Data**

The college may, from time to time, be required to process sensitive personal data. Sensitive personal data includes medical information and data relating to religion, race, or criminal records and proceedings. Where sensitive personal data is processed by the college, the explicit consent of the appropriate individual will generally be required in writing.

## **Rights of access**

Individuals have a right of access to information held by the college. Any individual wishing to access their personal data should put their request in writing to the DPC. The college will endeavour to respond to any such written requests as soon as is reasonably practicable and in any event, within 40 days for access to records and 21 days to provide a reply to an access to information request.

Please note that the college may charge an administration fee of up to £10 for providing this information.

You should be aware that certain data is exempt from the right of access under the Data Protection Act. This may include information which identifies other individuals, information which the college reasonably believes is likely to cause damage or distress, or information which is subject to legal professional privilege.

## **Exemptions**

Certain data is exempted from the provisions of the Data Protection Act which includes the following:

- 1 The prevention or detection of crime
- 2 The assessment of any tax or duty
- 3 Where the processing is necessary to exercise a right or obligation conferred or imposed by law upon the college.

The above are examples only of some of the exemptions under the Act. Any further information on exemptions should be sought from the DPC.

## **Use of personal information by the college**

The college will, from time to time, make use of personal data relating to staff, students and their parents/carers in the following way. Should you wish to limit or object to any such use please notify the DPC in writing.

To make use of photographic images of students, parents/carers, teachers and support staff in college publications and on the college website. However, the college will not publish photographs of individual student or staff member with their names without the express agreement of the appropriate individual or parent/carer.

## **Accuracy**

The college will endeavour to ensure that all personal data in relation to an individual is accurate. Individuals must notify the DPC of any changes to information held about them. An individual has the right to request that inaccurate information about them is erased or corrected.

## **Security**

The college will take reasonable steps to ensure that members of staff will only have access to personal data relating to staff or students, their parents or carers where it is necessary for them to do so. The

college will ensure that all personal information is held securely and is not accessible to unauthorised persons.

### **Enforcement**

If an individual believes that the college has not complied with this policy or acted otherwise than in accordance with the Data Protection Act, they should utilise the college's Complaints Procedure and should also notify the DPC. Personal data maintained on a computer will be updated regularly and can be seen by you at any time.

You consent to the college:

- Processing your personal information as described above.
- Processing any sensitive personal information (information relating to your racial or ethnic origin, trade union membership, religious beliefs, physical or mental condition or alleged commission of criminal offences) for the purposes described above.

Please note that we may keep information for a reasonable period in accordance with legal requirements if you move schools or cease employment at Springwell Community College.

**Staff referred to within the policy:**

DPC – Data Protection Controller  
Assistant Headteacher, Curriculum and Assessment

Mr S Birks

Network Manager

Mr T Fidler