



Rossall

EXPANDING HORIZONS

DATA PROTECTION POLICY

Pupils and Parents

SLT Lead: Bursar (ES)	Date Reviewed: 05/17
Circulation: F&GP, Council, SLT and Common Room	Next Review: Summer 2019

ROSSALL SCHOOL

DATA PROTECTION POLICY

This Policy

The School is required to process relevant personal data regarding individuals including current, past and prospective pupils; and their parents, agents and guardians (referred to in this policy as “parents”), as part of its operations. This Policy applies to all members of the Rossall School community, including those in our EYFS setting.

The School shall take all reasonable steps to process data in accordance with this Policy. Processing may include obtaining, recording, holding, disclosing, destroying or otherwise using data.

This policy is made available to all interested parties. It should be read in conjunction with the following policies: IT Acceptable Usage policy; Pupils Use of ICT, Mobile Phones and Electronic Devices policy; EYFS Acceptable Use of Mobile Phones, cameras and Recording Devices policy; E-safety Policy; Social Media policy for pupils; School Rules and Record Keeping Policy.

Responsibility for Data Protection

In accordance with the Data Protection Act 1998 (‘the Act’), the School has notified the Information Commissioner’s Office of its processing activities. Rossall School is the Data Controller and the School’s ICO registration number is Z9394266. Its registered address is Broadway, Fleetwood, Lancashire, FY7 8JW.

The School has appointed the Data Manager (Miss Kirstie Allen) as the Data Protection Officer (DPO) 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.

The Principles of the Data Protection Act 1998

- Data is fairly and lawfully processed
- Data is processed for a lawful purpose
- Data is adequate, relevant and not excessive
- Data is accurate and up to date
- Data is not kept for longer than necessary
- Data is processed in accordance with the data subject’s rights
- Data is secure
- Data is not transferred to other countries without adequate protection

Types of Personal Data Processed by the School

Personal data covers both facts and opinions about an individual. The School may process a wide range of personal data about individuals including current, past and prospective pupils and their parents. This data may include (but is not limited to):

- names, addresses, telephone numbers, email addresses and other contact detail;
- bank details and other financial information, e.g. about parents who pay fees to the School;
- current, past and prospective pupils’ academic, disciplinary, admissions and attendance records (including information about SEN), and examination scripts and marks;
- medical information, which includes medication and visits to the School’s medical centre;
- references given or received by the School about pupils, and information provided by previous educational establishments and/or other professionals or organisations working with pupils;
- images of pupils (and occasionally other individuals) engaging in School activities, and images captured by the School’s CCTV system (in accordance with the School’s policy on taking, storing and using images of children)

Generally, the School receives personal data from the individual directly (or, in the case of pupils, from parents). However in some cases personal data may be supplied by third parties (for example another School, or other professionals or authorities working with that individual), or collected from publicly available resources. The School may, from time to time, need to process “sensitive personal data” regarding individuals. Sensitive personal data includes information about an individual’s physical or mental health, race or ethnic origin or religious beliefs. Sensitive personal data is entitled to special protection under the Act, and will be processed by the School as permitted by the Act.

Use of Personal Data by the School

The School will use (and where appropriate share with third parties) personal data about individuals for a number of purposes as part of its operations, including as follows:

- For the purposes of pupil selection and to confirm the identity of prospective pupils and their parents;
- To provide education services (including SEN), extra-curricular activities to pupils; monitoring pupils’ progress and educational needs; and maintaining relationships with alumni and the School community;
- For the purposes of management planning and forecasting, research and statistical analysis, and to enable the relevant authorities to monitor the School’s performance;
- To give and receive information and references about current, past and prospective pupils, including relating to outstanding fees or payment history, to/from any educational institution that the pupil attended or where it is proposed they attend;
- To enable pupils to take part in national or other assessments, and to publish the results of public examinations or other achievements of pupils of the School;
- To safeguard pupils’ welfare and provide appropriate pastoral (and where necessary, medical) care, and to take appropriate action in the event of an emergency or accident, including by disclosing details of an individual’s medical condition where it is in the individual’s interests to do so, for example for medical advice, insurance purposes or to organisers of School trips or sports fixtures.
- To monitor use of the School’s IT and communications systems in accordance with the School’s IT Acceptable Usage policy
- To make use of photographic images of pupils in School publications, on the School website, on the School’s social media channels and on student ID badges, in accordance with the School’s policy on taking, storing and using images of children;
- For security purposes, and for regulatory and legal purposes (for example child protection and health and safety) and to comply with its legal obligations; and
- Where otherwise reasonably necessary for the School’s purposes, including obtaining appropriate professional Advice and insurance for the School.

The School confirms that it will not generally disclose information unless the individual has given their consent or one of the specific exemptions under the Act applies. Where the School receives a disclosure request from a third party it will take reasonable steps to verify the identity of that third party before making any disclosure.

Exemptions

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

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

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

Keeping in touch and supporting the School

The School will use the contact details of parents, alumni and other members of the School community to keep them updated about the activities of the School, including by sending updates and newsletters, by email and by post. Unless the relevant individual objects, the School may also:

- Share personal data about parents and/or alumni, as appropriate, with organisations set up to help establish and maintain relationships with the School community, such as The Rossallian Club and Rossall Foundation.
- Contact parents and or alumni including via The Rossallian Club and the Rossall Foundation by post and email in order to promote and raise funds for the School, and where appropriate, other worthy causes;
- Collect information from publicly available sources about parents' and former pupils' occupation and activities, in order to maximise the School's fundraising potential.

Should you wish to limit or object to any such use, or would like further information about them, please contact the DPO in writing.

Rights of Access ("Subject Access Request")

Individuals have the right under the Act to access personal data about them held by the School, subject to certain exemptions and limitations set out in the Act. Any individual wishing to access their personal data should put their request in writing to the DPO.

The School will endeavour to respond to any such written requests (known as "Subject Access Requests") as soon as is reasonably practicable and in any event within the statutory time-limits. The School may charge an administration fee of up to £10 for providing this information and we are not obliged to provide the information until the fee is paid.

You should be aware that certain data is exempt from the right of access under the Act. This may include information which identifies other individuals, or information which is subject to legal professional privilege. The School is not required to disclose any pupil examination scripts (though examiners' comments may fall to be disclosed), nor any reference given by the School for the purposes of the education, training or employment of any individual.

The School acknowledges that an individual may have the right to access a reference relating to them received by the School. Such a reference will only be disclosed if such disclosure will not identify the source of the reference or where, notwithstanding this, the referee has given their consent or if disclosure is reasonable in all the circumstances.

Pupils can make subject access request for their own personal data, provided that, in the reasonable opinion of the School, they have sufficient maturity to understand the request they are making. Pupils aged 12 or over are generally assumed to have this level of maturity, although this will depend on both the child and the personal data requested. All subject access requests from pupils will therefore be considered on a case by case basis.

A person with parental responsibility will generally be expected to make a subject access request on behalf of younger pupils. A pupil of any age may ask a parent or other representative to make a subject access request on his/her behalf.

Whose Rights

The rights under the Data Protection Act are the individual's to whom the data relates. The School will however in most cases rely on parental consent to process data relating to pupils (if consent is required under the Act) unless, given the nature of the processing in question, and the pupil's age and understanding, it is more appropriate to rely on the pupil's consent. Parents should be aware that in such situations they may not be consulted.

In general, the School will assume that pupils consent to disclosure of their personal data to their parents, e.g. for the purposes of keeping parents informed about the pupil's activities, progress and behaviour, and in the interest of the pupil's welfare, unless, in the School's opinion, there is a good reason to do otherwise.

However, where a pupil seeks to raise concerns confidentially with a member of staff and expressly withholds their agreement to their personal data being disclosed to their parents, the School will maintain confidentiality unless it has reasonable grounds to believe that the pupil does not fully understand the consequences of withholding their consent, or where the School believes disclosure will be in the best interests of the pupil or other pupils.

Pupils are required to respect the personal data and privacy of others, and to comply with the School's IT Acceptable Use policy and the School Rules.

Data Accuracy and Security

The School will endeavour to ensure that all personal data held in relation to an individual is as up to date and accurate as possible. Individuals must notify the DPO of any changes to information held about them.

An individual has the right to request that inaccurate information about them is erased or corrected (subject to certain exemptions and limitations under the Act) and may do so by contacting the DPO in writing.

The School will take appropriate technical and organisational steps to ensure the security of personal data about individuals. All staff will be made aware of this policy and their duties under the Data Protection Act. The School will ensure that all personal information is held securely and is not accessible to unauthorised persons.

Queries and Complaints

Any comments or queries on this policy should be directed to the DPO using the following contact details *email:* datamanager@rossall.org.uk *postal address:* FAO Data Protection Officer, Rossall School, Broadway, Fleetwood, FY7 8JW.

If an individual believes that the School has not complied with this Policy or acted otherwise than in accordance with the Act, they should utilise the School complaints procedure and should also notify the DPO.

Related Policies

- Record Keeping Policy
- Pupil Sanctions Records
- Reports and references
- Recording and Reporting Accidents to staff, pupils and visitors
- IT Acceptable usage policy
- EYFS acceptable use of mobile phones, cameras and recording devices
- School Rules