



# Data Protection

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Policy owned by: *The Headteacher*

Headteacher: \_\_\_\_\_

For and on behalf of the Governing Body: \_\_\_\_\_

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## **Policy Overview**

Ysgol St George is committed to full compliance with the Data Protection Act 1998 ("the Act") and recognises in full the rights and obligations established by the Act in relation to the management and processing of personal data. This policy sets out what Ysgol St George does in practice to meet its data protection obligations.

## **Data Protection Act Responsibility**

The Headteacher in conjunction with the Governing Body is responsible for the general development, promotion, and adherence to this policy. Using information and guidance provided by the Headteacher, all school staff that are likely to process personal data in any way are expected to:

1. Understand and adhere to the eight Data Protection Principles set out in the Act;
2. Manage all records in accordance with the relevant records retention
3. Dispose of and/or destroy confidentially where necessary those records that have reached the end of their retention period.

## **School Compliance with the Data Protection Principles**

Ysgol St George is committed to the eight Data Protection Principles set out in the Act. The Headteacher provides a central and focal point for promoting good management of personal data and for upholding the rights established in the Act.

Subject Access Requests are managed in accordance with specified and established procedures.

The Headteacher will establish, implement and monitor adherence to Data Protection procedures and accompanying retention schedules to ensure that data is not retained for any longer than necessary.

In order to prevent unauthorised processing, or accidental loss, damage or destruction, records that hold personal data are stored in locked filing cabinets and applications and servers are managed by passwords that are of a significant security standard. Advice and guidance can be sought from the Headteacher

## **Annual Notification**

The Headteacher is responsible for submitting the annual notification to the Office of the Information Commissioner for Ysgol St George.

## **Educational Records**

Under the Data Protection Act 1998 all pupils are entitled to have their educational records disclosed to them, free of charge, within 15 school days of making a written request.

## **Subject Access Requests**

Ysgol St George recognises the right of all Data Subjects to access information held about them by Ysgol St George and has an established procedure for responding to requests for access to such information.

Ysgol St George aims to comply with requests for access to personal information as quickly as possible, and ensures that information is provided within the statutory 40 day limit unless there is a good reason for delay.

1. Requests for information must be made in writing; which includes email, and be addressed to the Headteacher. If the initial request does not clearly identify the information required, then further enquiries will be made.
2. The identity of the requestor must be established before the disclosure of any information. Evidence of identity will be established by requesting production of:
  - Passport
  - Driving licence
  - Utility bill with current address
  - Birth/marriage certificate
  - P45/P60
  - Credit card or mortgage statement

*This list is not exhaustive*

3. Any individual has the right of access to information held about them. However with children, this is dependent upon their capacity to understand (normally age 12 or above) and the nature of the request. The Headteacher can discuss the request for their records. Where the child is not deemed to be competent an individual with parental responsibility or guardian shall make the decision on behalf of the child. Any subject Access requester has the right to appeal any decision.
4. The school may make a charge for the provision of information, dependent upon the following:
  - Should the information requested be personal information that does not include any information contained within educational records Ysgol St George can charge £10 to provide it.

Ysgol St George reserves the right not to release any information, and the 40-day deadline period does not commence, until the school has received payment, Ysgol St George has received adequate information to identify the individual requesting the information and Ysgol St George is satisfied that the request is a genuine request made by or with the knowledge and consent of the Data Subject. Data subjects are always informed about the progress of their request, including any decision not to release any data or any reason(s) for delaying a response.

## **Complaints Procedure**

Ysgol St George has in place a complaints procedure to ensure individuals concerned about any aspect of the management of personal data are able to raise their concerns in a fair and equal way. This procedure is available from the Headteacher upon request.

## **Data Protection Awareness**

The Headteacher is responsible for ensuring that adequate and appropriate knowledge of the Act and the schools' legal obligations is available to all staff. The means for performing this function include: and ad hoc individual advice as appropriate.

## **Policy Review**

This policy will be reviewed every 12 months to ensure that Ysgol St George meets its operational and legal requirements.

## Document Control

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