

## POLICY STATEMENT

Policy	Data Protection Policy
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Date Written	September 2018
Written by	HR Consultant
Approved by	J Blake
Next major review date	September 2019
Location and disseminations	A copy of the policy can be found, in the college admin office and on the college website.

St George's College is committed to protecting the data for which it holds responsibility as the Data controller and handles such data in line with GDPR. The college collects information about current and prospective students, parents and guardians, staff, volunteers and agents in a variety of ways including, but not limited to: direct from the individuals, from previous employers, publicly available information, and through cookies, and/or similar technology. The primary use of this information is intended to provide you with a personalised experience that delivers the information most relevant and helpful to you.

The legal basis for processing data are:

- **Consent-** The member of staff/student/parent/visitor has given clear consent for the college to process their data for a specific purpose.
- **Contract-** The processing is necessary for the member of staff's employment contract or student placement contract.
- **Legal Obligation-** The processing is necessary for the college to comply with the law (not including contractual obligations)
- **Vital Interests-** The processing is necessary to protect someone's life.
- **Legitimate Interests-** The processing is done to assist with the teaching and learning of students.

Whilst all staff share responsibility to protect data and have duties in data protection, the proprietor has ensured that appropriately trained and knowledgeable oversight is provided by an Data Protection and information Officer.

All staff must treat student and parent information in a confidential manner and follow the guidance in this policy. The college is committed to ensuring staff are aware of the data protection regulations, guidance and legislations as well as their duties under the college policies and provide training through the Educare online training services.

#### **Notification:**

The college's data processing activities will register with the Information Commissioners Officer. Changes to the type of data processing activities will be reported to the ICO. Breaches of personal or sensitive data shall be notified within 72 hours to the individual(s) concerned and the ICO.

#### **The principles of the Data Protection Act shall be applied to all data processed:**

- ensure that data is fairly and lawfully processed
- process data only for limited purposes
- ensure that all data processed is adequate, relevant and not excessive
- ensure that data processed is accurate
- not keep data longer than is necessary
- process the data in accordance with the data subject's rights
- ensure that data is secure
- ensure that data is not transferred to other countries without adequate protection.

We will be transparent about the intended processing of data and communicate our intentions via notification to staff, parents and pupils prior to the processing of their data. Notifications shall be in accordance with ICO guidance.

#### **Pupil Information**

We collect and hold personal information relating to our pupils and it is possible that we may also receive information from previous schools, local authorities or other external agencies. We use this personal data to:

- Support our pupils' learning
- Monitor and report on their progress
- Provide appropriate pastoral care; and
- Assess the quality of our services

This information includes contact details, medical information, assessment results, attendance information, safeguarding and special educational needs information, any exclusion information, where they go after they leave us and personal characteristics such as their ethnic group.

St George's is required to share some information about our pupils with the Department for Education (DFE), ESCC and inspectorate bodies such as PFE. These external bodies may share

information with third parties, but this will only take place when laws allow it and it is in compliance with Data Protection Act 1998 and GDPR.

On the occasion of a student moving to an alternative school or college, we pass on details of a student's academic record and a copy of the safeguarding and medical files to the organisation's Designated Safeguarding Lead.

### **Staff Information**

We are legally obliged to protect certain information on our staff. We process and store personal data relating to those we employ to work at, or otherwise engage to work at our college. This is for employment purposes to assist in the running of the college. This personal data includes identifiers such as names and National Insurance numbers and characteristics such as ethnic group, employment contracts and remuneration details, qualifications and absence information.

### **Data Sharing**

The intention to share data relating to individuals to an organisation outside of our college will be clearly defined within notifications. Data will be shared with external parties in circumstances where it is a legal requirement to provide such information.

Under no circumstances will the college disclose information or data:

- that would cause serious harm to the child or anyone else's physical or mental health or condition
- indicating that the child is or has been subject to child abuse or may be at risk of it, where the disclosure would not be in the best interests of the child
- recorded by the pupil in an examination
- that would allow another person to be identified or identifies another person as the source, unless the person is an employee of the college or a local authority or has given consent, or it is reasonable in the circumstances to disclose the information without consent. The exemption from disclosure does not apply if the information can be edited so that the person's name or identifying details are removed

Personal data about pupils will not be disclosed to third parties without consent, unless it is obliged by law. Data may be disclosed to the following third parties without consent:

### **Other schools**

If a pupil transfers from St George's College to another school/college, their academic records and other data that relates to their health and welfare will be forwarded onto the new school. This will support a smooth transition from one school to the next and ensure that the child is provided for

as is necessary. It will aid continuation which should ensure that there is minimal impact on the child's academic progress as a result of the move.

### **Examination authorities**

This may be for registration purposes, to allow the student to sit an exam.

### **Health authorities**

As obliged under health legislation, the college may pass on information regarding the health of students to monitor and avoid the spread of contagious diseases in the interest of public health.

### **Police and courts**

If a situation arises where a criminal investigation is being carried out we may have to forward information on to the police to aid their investigation. We will pass information onto courts as and when it is ordered.

### **Educational division**

The college may be required to pass data on in order to help the government to monitor the national educational system and enforce laws relating to education.

### **Right to be Forgotten:**

Where any personal data is no longer required for its original purpose, an individual can demand that the processing is stopped and all their personal data is erased by the college including any data held by contracted processors.

### **Data Access Requests (Subject Access Requests):**

All individuals whose data is held by us, has a legal right to request access to such data or information about what is held. We shall respond to such requests within 30 days and they should be made in writing to:

Data Protection Officer  
St George's College  
7-9 Holmesdale Gardens  
Hastings  
East Sussex  
TN34 1LY

No charge will be applied to process the request.

### **Photographs and Video:**

Images of staff and pupils may be captured at appropriate times and as part of educational activities for in college or promotion use. Consent is sought from all pupils and staff for the use of their photograph and video. Without consent, we will not take images or footage of the individual. Consent can be withdrawn at any time and can be done so, by contacting the DPO.

However, it is important to note it may take time to remove the photograph or video from all medias.

### **Data Disposal:**

The college recognises that the secure disposal of redundant data is an integral element to compliance with legal requirements and an area of increased risk. All data held in any form of media (paper, tape, electronic) shall only be passed to a disposal partner with demonstrable competence in providing secure disposal services. All data shall be destroyed or eradicated to agreed levels meeting recognised national standards, with confirmation at completion of the disposal process.

### **Privacy notice**

The college will issue a privacy notice to all pupils and staff when they join first the college. This will refer pupils, parents, and staff to our local authority website where you can find all the information on what data is collected and how it is used.

The college will not collect or process the biometric data of any pupil without parental consent. If the college wishes to collect this information parents will be contacted for consent. This request for consent will include full explanation about the type of biometric information that will be taken and how it will be used, as well as an explanation of the parents' and pupil's right to refuse or withdraw their consent.

### **Guidelines**

- Paper copies of data or personal information should not be taken off the college site. If these are misplaced they are easily accessed. If there is no way to avoid taking a paper copy of data off the college site, the information should not be on view in public places, or left unattended under any circumstances.
- Unwanted paper copies of data, sensitive information or pupil files should be shredded. This also applies to handwritten notes if the notes reference any other staff member or pupil by name.
- Care must be taken to ensure that printouts of any personal or sensitive information are not left in printer trays or photocopiers.
- If information is being viewed on a PC, staff must ensure that the window and documents are properly shut down before leaving the computer unattended. Sensitive information should not be viewed on public computers.
- If it is necessary to transport data away from the college, it should be downloaded onto a USB stick. The data should not be transferred from this stick onto any home or public computers. Work should be edited from the USB, and saved onto the USB only.

- USB sticks that staff use must be password protected.

These guidelines are clearly communicated to all college staff, and any person who is found to be intentionally breaching this conduct will be disciplined in line with the seriousness of their misconduct.

### **Retention of data**

The college will not keep personal data on pupils for any longer than is necessary. Information such as statistical data, and information that is collected to be kept as part of college records, will be kept by the college even after the child leaves.

It is very important that all examination results certificates and records indicating the progress of a student are safely kept by their parents/carers as the college cannot guarantee that this information will be kept indefinitely by the college.

The college cannot guarantee that any information will be kept by the college indefinitely, although records are usually kept for a period of 5 years after the student has left the college.