



Birchfield Independent Girls School

## **POLICY FOR DATA PROTECTION**

Birchfield Independent Girls School complies with the terms of The Data Protection Act 1998, and any subsequent relevant legislation, to ensure personal data is treated in confidence, in a manner that is fair and lawful.

Birmingham Education Service advice and guidance supplied in the **Data Protection Advice for Schools** flyer and **Data Protection Guidance for Schools** booklet.

Information and guidance displayed on the Information Commissioner's website <http://www.legislation.gov.uk/ukpga/1998/29/contents>

### **Data Gathering**

All personal data relating to staff, pupils or other people with whom we have contact, whether held on computer or in paper files, are covered by the Act.

Only relevant personal data may be collected and the person from whom it is collected will be informed of the data's intended use and any possible disclosures of the information that may be made.

### **Data Storage**

- Personal data will be stored in a secure and safe manner.
- Electronic data will be protected by standard password and firewall systems operated by the school.
- Computer workstations in administrative areas will be positioned so that they are not visible to casual observers waiting either in the office or at the reception hatch.
- Manual data will be stored where it is not accessible to anyone who does not have a legitimate reason to view or process that data.

- Particular attention will be paid to the need for security of sensitive personal data.

### **Data Checking**

The school will issue regular reminders to staff and parents to ensure that personal data held is up-to-date and accurate.

Any errors discovered would be rectified and, if the incorrect information has been disclosed to a third party, any recipients informed of the corrected data.

### **Data Disclosures**

Personal data will only be disclosed to organisations or individuals for whom consent has been given to receive the data, or organisations that have a legal right to receive the data without consent being given.

When requests to disclose personal data are received by telephone it is the responsibility of the school to ensure the caller is entitled to receive the data and that they are who they say they are. It is advisable to call them back, preferably via a switchboard, to ensure the possibility of fraud is minimised.

If a personal request is made for personal data to be disclosed it is again the responsibility of the school to ensure the caller is entitled to receive the data and that they are who they say they are. If the person is not known personally, proof of identity will be requested.

Requests from parents or children for printed lists of names of children in particular classes, which are frequently sought at celebration, will be politely refused as permission would be needed from all the data subjects contained in the list. (Note: A suggestion that the child makes a list of names when all the pupils are present in class will resolve the problem).

Personal data will not be used in newsletters, websites or other media without the consent of the data subject.

Routine consent issues will be incorporated into the school's pupil data gathering sheets, to avoid the need for frequent, similar requests for consent being made by the school.

Personal data will only be disclosed to police officers if they are able to supply a WA170 form which notifies of a specific, legitimate need to have access to specific personal data. This form is the agreed procedure between Birmingham City Council and West Midlands Police.

A record will be kept of any personal data disclosed so that the recipient can be informed if the data is later found to be inaccurate.

### **Subject Access Requests**

If the school receives a written request from a data subject to see any or all personal data that the school holds about them this will be treated as a Subject Access Request and the school will respond within the 40-day deadline.

Informal requests to view or have copies of personal data will be dealt with wherever possible at a mutually convenient time but, in the event of any disagreement over this, the person requesting the data will be instructed to make their application in writing and the school will comply with its duty to respond within the 40-day time limit.

Data Protection statements will be included in the school prospectus, medical forms and on any other forms that are used to collect personal data.

### **CCTV**

The school uses CCTV cameras around the building to help secure the safety of its pupils and staff. The system is used for:

- Personal safety issues.
- Deter unauthorised entry to site.
- Assist with maintaining appropriate standards of student behaviour.

See also the CCTV Policy.

Appendix

**DATA PROTECTION TERMS FOR DATA PROCESSOR CONTRACTS**  
**(Under the Data Protection ACT 1998)**

***IN THE CASE OF ANY CONTRACT WHERE THE PROVISIONS OF THE DATA PROTECTION ACT APPLY TO DATA PROCESSED IN RELATION TO THE PERFORMANCE OF THE CONTRACT, THESE SUPPLEMENT THE CONDITIONS OF CONTRACT***

1. The SERVICE PROVIDER's attention is hereby drawn to the **Data Protection Requirements**. Birchfield independent Girls School and the SERVICE PROVIDER shall observe their obligations under the Data Protection Requirements.

Where the SERVICE PROVIDER, pursuant to its obligations under this contract, processes Personal Data on behalf of Birchfield independent Girls School, it shall:

3. Process Personal Data only in accordance with instructions from Birchfield independent Girls School (which may be specific instructions or instructions of a general nature as set out in this Contract or as otherwise notified by Birchfield independent Girls School to the SERVICE PROVIDER during the Term).
4. Process the Personal Data only to the extent, and in such manner, as is necessary for the provision of the Ordered Services or as is required by Law or any Regulatory Body.
5. Implement appropriate technological measures to protect against accidental loss, destruction, damage, alteration or disclosure. These measures shall be appropriate to the harm which might result from any unauthorised or unlawful processing, accidental loss, destruction or damage to the Personal Data and having regard to the nature of the Personal Data which is to be protected.
6. Take reasonable steps to ensure the reliability of any SERVICE PROVIDER personnel who have access to the Personal Data.
7. Obtain prior written consent from Birchfield independent Girls School in order to transfer the Personal Data to any sub-contractors for the provision of the Ordered Services.
8. Ensure that any SERVICE PROVIDER personnel required to access the Personal Data are informed of the confidential nature of the Personal Data and comply with the obligations set out in this Clause 1.
9. Ensure that none of the SERVICE PROVIDER personnel publish, disclose or divulge any of the Personal Data to any third party unless directed in writing to do so by Birchfield independent Girls School.

15. The SERVICE PROVIDER shall comply at all times comply with the Data Protection Requirements and shall not perform its obligations under this Contract in such a way as to cause Birchfield independent Girls School to breach any of its applicable obligations under the Data Protection Requirements.
  
19. Save as set out in these Conditions, any unauthorised processing, use or disclosure of personal data by the SERVICE PROVIDER is strictly prohibited.

**This document was produced January 2022 and is due to be reviewed January 2024.**

Signed (Chair)..... Date.....

Print Name..... Date of next review.....

Headteacher.....