

Data Protection & Information Sharing Policy

Written by: Gaby Wood and Anja Toddington

Date: January 2017

Approved by: SMT

Date: May 2017

Date for next review: Oct 2018

Statement:

The South Devon Steiner School (SDSS) collects and uses personal information about current, past and prospective employees, pupils, parents, suppliers, and other individuals who come into contact with the school. This information is gathered in order to enable it to provide education and other associated functions. In addition, there may be a legal requirement to collect and use information to ensure that SDSS complies with its statutory obligations.

The SDSS recognises and accepts its responsibility as set out in the *Data Protection Act 1998* and sub-legislation contained therein. The School, as a Data Controller, will take all reasonable steps to meet this responsibility and to promote good practice in the handling and use of personal information. In particular the SDSS will comply with the Data Protection Principles set out in the 1998 Act.

Aim:

This policy is intended to ensure that personal information is dealt with correctly and securely and in accordance with the Data Protection Act 1998, and other related legislation in a lawful and correct manner in order to secure the successful carrying out of operations and the delivery of the school's services. All staff involved with the collection, processing and disclosure of personal data will be aware of their duties and responsibilities by adhering to these guidelines.

We are required to pass on some data to the Local Education Authority and the Department for Education. Further information about how the LA and/or DfE store and use data is available from the relevant websites.

Procedure:

Employee data and information:

The School's Obligations

We will ask each employee to consent to the school's processing of information relating to him/her in line with the provisions set out in this procedure. 'Processing' is the term used in the Data Protection Act to refer to the collection, use, disclosure, holding and erasure of information. It is therefore important for you to read the rest of this procedure to ensure that you are aware of the nature of the information that the school holds about employees and the reasons for the school needing to process this information.

Nature of Employee information

Personal information is held on personal files and databases, which are kept securely within the School. The categories of information held on personal files may include, amongst other items your

address and contact details, marital status, details of salary and benefits, bank details and details of qualifications.

Obviously it is not possible to list every type of information which may be held by the school about every employee and so these are only examples of the usual type of information and do not constitute an exhaustive list.

This sort of information is known as 'personal data under the Data Protection Act.

The Act also recognises a category of information known as sensitive personal data. Sensitive personal data is information which relates to racial or ethnic origin, political opinions, religious beliefs, trade union memberships, physical or mental condition, sex life, any criminal offence or related proceedings. The most likely information which the school collects and processes on your behalf, which falls into this category, is information relating to your health. The purpose of keeping this information is to administer Statutory Sick Pay, monitor and manage sickness absence and to comply with health and safety obligations and the Disability Discrimination Act 1995.

Keeping Employee Information

Access to personal files is limited to the School Administrator, the Personnel Administrator, and, in some circumstances Trustees.

The school will take steps to ensure that the employee information it holds is accurate and up-to-date. The school will also take steps to ensure that it does not keep any information about employees for longer than is necessary. It may, for example, keep details of employees for a reasonable time after they have left the school's employment in order to ensure that benefits have been properly administered, to give references if requested to do so, to ensure that tax obligations have been satisfied and to deal with any tribunal or other court proceedings.

Transfer of Employee Information

The school may make some information about employees available to legal and regulatory authorities (such as the Inland Revenue), accountants, auditors, lawyers and other outside professional advisers and product service providers. In this case the school will ensure that the recipients of the information comply with the contents of this procedure.

Your rights under the Data Protection Rules

The Data Protection Act gives employees (and anyone else about whom personal data is held) specific rights in relation to the information that is held about them. Some of these rights are summarised below, but if you would like any further information, please contact the School Administrator or Personnel Administrator.

Under the Data Protection Act you are able to:

- Obtain confirmation that the school holds personal information about you, as well as a written description of the information, the purposes for which it is being used, the sources of the information and the details of any recipients.
- Access the personal information which is held about you. It is important to note that this is not an absolute right to review all the information that is held about you, as there are various exceptions to this right contained in the Data Protection Act. One of the most

important exceptions is that you may not be able to access the information about you if this would reveal some personal information about someone else.

- In certain circumstances you can ask for the deletion or rectification of information which we hold about you which is not accurate.

If you wish to see your personal data held by the school, please contact the School Administrator or Personnel Administrator.

Your responsibilities under the Data Protection Rules

As well as having rights under the Data Protection Act, you should comply with the data protection rules set out in this procedure.

Your Personal Information

In order to assist the school in ensuring that your personal information is kept up to date you should inform the School Administrator of any changes in the following information:

- Address and other contact details;
- Emergency contact name;
- Bank account details;
- Marital status

Other People's Personal Information

If, as a part of your job, you hold any personal information about the school's employees or about anyone else, then you need to take steps to ensure that you are following guidelines set out below:

- All personal information must be kept securely and remain confidential
- You should not keep personal information about people which you no longer need or which is out of date or inaccurate. You should therefore review any personal information that you hold from time to time, bearing these principles in mind.

Please note that these guidelines apply equally to documents containing personal information, which are kept in files, as well as information which is kept on a computer database.

Sharing pupil information with outside agencies

On occasion staff may be asked for information concerning children, this may be from:

- Other schools
- Agencies such as the police, social workers etc.

Whilst SDSS is committed to sharing information in order to assist and therefore provide the best course of action for the children under our care all staff must remain vigilant.

We ask all staff to never give out any information concerning children or their parents to any bodies without observing the below procedures:

If a request for information comes via a phone call or email then please

- Ask the person for their full details including phone number, once these are logged, request that they submit their request, in writing, to the school administrator. This must be on

official headed paper. Email is not acceptable.

- Never give out details over the telephone, even if the person asks you to ring back to confirm.
- If the person says the request is urgent and writing will delay, ask them to make an appointment for a face to face meeting either the same or next day with the school administrator. If he is unavailable then this can be made with the admissions manager.

If the request comes via a face to face meeting

- Ensure you fully check the visitors professional ID. This will clearly show a picture of the person, their name and their business worked for. Do not accept any ID that is not professional and has a clear picture of the visitor on.
- Ask the person for their manager's name and phone number, before disclosing any details ring their manager or department head to confirm that this person is authorised to have the information they are requesting.
- If the request comes from the police, do not assume that a uniform is sufficient proof. Ensure you carry out the above procedures.

Information/advice/guidance:

- IOC (Information Commissioner's Office website)

Compliance:

- The Data Protection Act 1998
- Information sharing
Advice for practitioners providing safeguarding services to children, young people, parents and carers (HM Government advice March 15)

Related Policies:

Safeguarding Policy

Whistleblowing Policy

Staff Code of Conduct Policy