

Data Protection Policy

1. Introduction

Old Swinford Hospital is registered under the Data Protection Act and this is a policy statement which details the School's duties in handling personal data.

2. General Statement of the School's Duties

Old Swinford Hospital is required to process relevant personal data as part of its operation and shall take all reasonable steps to do so in accordance with this Policy.

3. Data Protection Controller

Old Swinford Hospital is the Data Protection Controller (DPC) and will endeavour to ensure that all personal data is processed in compliance with this Policy and the Principles of the Data Protection Act 1998.

4. The Principles

Old Swinford Hospital shall, so far as is reasonably practicable, comply with the Data Protection Principles (the Principles) contained in the Data Protection Act to ensure all data is:-

- 4.1. Fairly and lawfully processed
- 4.2. Processed for a lawful purpose
- 4.3. Adequate, relevant and not excessive
- 4.4. Accurate and up to date
- 4.5. Not kept for longer than necessary
- 4.6. Processed in accordance with the data subject's rights
- 4.7. Secure
- 4.8. Not transferred to other countries without adequate protection

5. Processing Of Personal Data

- 5.1. Old Swinford Hospital undertakes to obtain and process data fairly and lawfully by informing all data subjects of the reason for the data collection, the purposes for which the data is held, the likely recipients of the data and the data subject's right of access.
 - 5.1.1. "processing" means obtaining, recording or holding the information or data or carrying out any or set of operations on the information or data.
 - 5.1.2. "data subject" means an individual who is the subject of personal data or the person to whom the information relates.
 - 5.1.3. "personal data" means data, which relates to a living individual who can be identified.
- 5.2. The School is required to issue Privacy Notices to the school workforce and pupils in respect of the processing of personal data.
 - 5.2.1. The Privacy Notice for the school workforce is attached at Appendix A
 - 5.2.2. The Privacy Notice for pupils is attached at Appendix B

6. Rights of Access to Information

- 6.1. Employees, parents and pupils have the right of access to information held by Old Swinford Hospital. Anyone wishing to access their personal data should put their request in writing to the School. The School will endeavour to respond to any such written requests as soon as is reasonably practicable and, in any event, within 40 days for access to records and 21 days to provide a reply to an access to information request. The information will be imparted to the employee, parent or pupil as soon as is reasonably possible after it has come to the school's attention.
- 6.2. Further information regarding rights of access to information can be obtained from the Information Commissioner's Office website at www.ico.gov.uk.

7. Exemptions

- 7.1. Certain data is exempted from the provisions of the Data Protection Act which includes the following:-
 - 7.1.1. The prevention or detection of crime;
 - 7.1.2. The assessment of any tax or duty;
 - 7.1.3. Where the processing is necessary to exercise a right or obligation conferred or imposed by law upon the School.
- 7.2. The above are examples only of some of the exemptions under the Act. Any further information on exemptions should be sought from the Information Commissioner's Office at www/ico.gov.uk

8. Accuracy

Old Swinford Hospital will endeavour to ensure that all personal data held in relation to workers is accurate. Employees, parents and pupils must notify the Data Protection Controller of any changes to information held about them. Employees, parents and pupils have the right to request that inaccurate information about them is erased.

9. Enforcement

- 9.1. If an employee believes that the School has not complied with this Policy or acted otherwise than in accordance with the Data Protection Act, the employee should utilise the School Grievance Procedure.
- 9.2. If a parent or pupil believes that the School has not complied with this Policy or acted otherwise than in accordance with the Data Protection Act, the parent or pupil should utilise the School's Complaint Procedure.

School Workforce Privacy Notice - Data Protection Act 1998

Old Swinford Hospital is the Data Controller for the purposes of the Data Protection Act.

We process personal data relating to those we employ to work at, or otherwise engage to work at, our school. This is for employment purposes to assist in the running of the school and to enable individuals to be paid. The collection of this information will benefit both national and local users by:

- improving the management of workforce data across the sector
- enabling development of a comprehensive picture of the workforce and how it is deployed
- informing the development of recruitment and retention policies
- allowing better financial modelling and planning
- enabling ethnicity and disability monitoring; and
- supporting the work of the School Teachers' Review Body

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.

We will not share information about you with third parties without your consent unless the law allows us to. We are required, by law, to pass on some of this personal data to:

- our local authority
- the Department for Education (DfE)

If you require more information about how we and/or DfE store and use your personal data [click here](#).

If you want to see a copy of information about you that we hold, please contact the School Bursar.

We will not give information about you to anyone outside the school or LA without your consent unless the law and our rules allow us to.

Pupils Privacy Notice - Data Protection Act 1998

We Old Swinford Hospital are the Data Controller for the purposes of the Data Protection Act. We collect and hold personal information relating to our pupils and may also receive information about them from their previous school, local authority and/or the Department for Education (DfE). 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 will include their contact details, national curriculum assessment results, attendance information, any exclusion information, where they go after they leave us and personal characteristics such as their ethnic group, any special educational needs they may have as well as relevant medical information. For pupils enrolling for post 14 qualifications, the Learning Records Service will give us the unique learner number (ULN) and may also give us details about your learning or qualifications.

Once our pupils reach the age of 13, the law requires us to pass on certain information to Dudley Local Authority who have responsibilities in relation to the education or training of 13-19 year olds. We may also share certain personal data relating to children aged 16 and over with post-16 education and training providers in order to secure appropriate services for them. A parent/guardian can request that only their child's name, address and date of birth be passed to Dudley Local Authority by informing the School Office Administrator. This right is transferred to the child once he/she reaches the age 16. For more information about services for young people, please go to our local authority website www.dudley.gov.uk.

We will not give information about our pupils to anyone without your consent unless the law and our policies allow us to do so. If you want to receive a copy of the information about your son/daughter that we hold, please contact the School Bursar. We are required, by law, to pass certain information about our pupils to our local authority (LA) and the Department for Education (DfE). DfE may also share pupil level personal data that we supply to them, with third parties. This will only take place where legislation allows it to do so and it is in compliance with the Data Protection Act 1998.

Decisions on whether DfE releases this personal data to third parties are subject to a robust approval process and are based on a detailed assessment of who is requesting the data, the purpose for which it is required, the level and sensitivity of data requested and the arrangements in place to store and handle the data. To be granted access to pupil level data, requestors must comply with strict terms and conditions covering the confidentiality and handling of data, security arrangements and retention and use of the data.

For more information on how this sharing process works, please [click here](#).

For information on which third party organisations (and for which project) pupil level data has been provided to, please [click here](#).

If you need more information about how our local authority and/or DfE collect and use your information, please visit:

- our local authority at www.dudley.gov.uk or
- the [DfE website](#)

Revision History

Date	Amendment	Author or reviewed by	Approved by
4 th December 2012	Minor changes to contact details on Appendices A & B		Governors' Quarterly
3 rd December 2013	Appendix B replaced in full, re Dudley LA		Governors' Termly
4 th December 2014	Updated in line with DMBC policy		Governors' Termly
3 rd December 2015	Appendix B updated in line with DMBC policy		Governors' Termly
13 th June 2016	Appendix B updated in line with DfE guidance, refers to web sites rather than addresses and centres on DfE	LAG	Governors' Termly