



Data Protection Policy (Primary)

Data Protection Policy

1. Introduction

Oasis Academies fully comply with the Data Protection Act 1998 which regulates the processing of personal data whether held electronically or in manual form.

Processing includes obtaining, recording, holding, accessing, disclosing or using personal data. The Data Protection Officer of the academy, being the data controller in terms of the Data Protection Act, has overall responsibility for ensuring that records are correctly processed. All staff within the academy involved with such processing are aware of their duties and responsibilities in line with this policy.

This Data Protection Policy will operate in conjunction with other policies including those for ESafety, Records Management and the ICT Curriculum.

The Data Protection Officer for OA xxx is:

INSERT NAME

2. Data Processing

This academy processes personal data in relation to pupils and parents or legal guardians for the following purposes:

Administration:

- Pupil and parent / legal guardian details are collected upon registration of a pupil to attend this academy or upon admission of a pupil to this Academy. Such registration details are required to establish a pupil register for the administration of the intake of yearly pupils, and for the daily operations and efficient running of the academy. Pupil records may also include photographs.
- The pupil details will incorporate the details of their parents / legal guardians to be contacted as necessary and to maintain a sound relationship with them, by involving them in the educational development of their child attending this academy. Parents / legal guardians may also participate in academy activities in the interest of their pupils. It is the responsibility of parents / legal guardians to provide the academy with any amendments or changes to the registration details of our pupils to keep such information up to date.

Academic progress monitoring:

- This academy is committed to provide the best education possible to its pupils. Performance data, including examination and / or assessment results are compiled and associated with pupil records, to monitor their progress during the scholastic years.

Organisation of academy functions:

- The academy organises activities from time to time to promote pupils' achievements, and give them exposure to certain field work to develop further their potential and abilities. The functions may form part of curricular requirements (such as end of year assembly, religious festivals, sports day, etc.) or may be of a non-curricular nature (such as outings, exhibitions, Christmas parties, etc.). In all functions, data of pupils and their parents / legal guardians may be processed for this purpose.

Historic records:

- Selective records processed for the above mentioned purposes (administration, academic and academy functions) may be archived and kept for historic and record purposes.

Pupil welfare:

- The academy may process records related to the welfare and social behaviour of the pupil concerned. Such information may include court orders regarding custody of minors, information compiled by child protection services including guidance and counselling, as well as any other information obtained from the pupil or parent / legal guardian, the police, and other support agencies. Such welfare data is processed in the best interest of the pupil concerned in order to provide him / her with the best possible protection and assistance, to improve his / her welfare, and further progress the development of the pupil involved.

Health:

- Medical examinations may be carried out by paramedics, in the case of an emergency, and psychologists / statementing board members in conjunction with the parent / legal guardian. Other health related information may also be provided by the parent / legal guardian themselves as a preventative measure.

Statistics and research:

- Personal data processed for statistical and research purposes are made anonymous.
- Where data is required for research related to pupils, consent is sought from the parent / legal guardian prior to its disclosure only when the research / statistics will not be rendered anonymous.

3. 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 academy;
- Teachers may carry data on memory sticks or other removable data carriers in order to access their files both at home and at academy. Any data carried in this way must be encrypted using appropriate encryption software, e.g. TrueCrypt;
- 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.

4. Data Checking

- The academy 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.

5. Data Disclosures

Personal data will not be disclosed to other third parties without the consent of the parent / legal guardian, unless obliged by law and unless it is in the best interest of the child.

Personal data will therefore be accessed and disclosed as follows:

Access:

- Restricted staff members of the academy will access personal data on a need to know basis in the course of executing their duties. The professional staff requiring such data is fully aware of the obligations the academy has under the Data Protection Act, and they will only use the data for the purposes for which it was collected.

Disclosure:

- 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 (e.g. examination boards, SATs registrations);
- When a request to disclose personal data is received by telephone we will 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 academy 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 should be requested;
- If requests are received from parents or pupils for the names of other pupils in the class (e.g. for Christmas cards or birthday invites), only first names will be released.
- Personal data will not be used in newsletters, websites or other media without the consent of the parents of the data subject;
- Routine consent issues will be incorporated into the academy's pupil data gathering sheets, to avoid the need for frequent, similar requests for consent being made by the academy;
- Personal data will only be disclosed to Police Officers if they are able to supply a specific form which notifies of a specific, legitimate need to have access to specific personal data;
- A record should be kept of any personal data disclosed so that the recipient can be informed if the data is later found to be inaccurate (e.g. Department for Education).

6. Processing of Visual Images

We allow the taking of visual images in the form of photos, videos or other means, in its academy activities. It is pertinent to point out that the academy is only responsible for visual images taken by academy representatives. Persons taking visual images for personal use during an academy activity are held responsible for the use of such visual images.

Upon the admittance of pupils in this academy, consent will be sought from parents / legal guardians where visual images are:

- a) Taken by academy representatives in non-curricular activities;
- b) Used for communications purposes by publishing them on:

1. Printed matter including internal and external publications (e.g. Academy prospectus, annual reports, newsletters, etc);
 2. Academy notice boards (except to process orders by pupils);
 3. Media – including newspapers and TV;
 4. The internet (academy and Education Division web sites);
- c) Used for any other purpose other than administrative, academy functions, historic and communications purposes. The consent given by parents / legal guardians may be withdrawn after informing the head teacher in writing. No visual image of the pupil in question will be taken after the consent has been withdrawn.

When a professional photographer is engaged by the academy, the academy shall ensure that the photographer understands data protection considerations and that he/she is able to satisfy all responsibilities and obligations in accordance with the Data Protection Act. This relationship will be regulated by a contract between the academy and the photographer (see appendix). Visual images are retained for a period of three years except for those selected to be kept for historic records of the academy.

7. Retention of Personal data

The academy does not hold any data longer than necessary, having considered the purposes for processing. In this regard, all personal data relating to pupils and their parents / legal guardian will be held for the period during which the pupil attended this academy, with the exception of records selected to be kept for record purposes, and statistical data. Visual images not selected for historic record purposes will be kept for three years only. Marks obtained by pupils in examinations are also kept for the duration of their attendance at this academy, with the exception of results of the last scholastic year which are held for a period of five years only. It is therefore very important that all certificates, results and any other record indicating the educational progress of the pupil, is to be appropriately preserved by the parents / legal guardian for future use by the pupil.

8. Pupil and Parent / Legal Guardian Rights

Pupils and parents / legal guardians are entitled to be provided with:

- a) Actual information processed about them;
- b) A description from where this information has been collected;
- c) The purpose for processing such information;
- d) Details about the recipients to whom data is disclosed;
- e) Knowledge of the logic involved in any automatic processing of data concerning them.

The request has to be made in writing duly signed by the parents / legal guardians and addressed to the Principal. Requests concerning pupils are to be made by their parents / legal guardian on behalf of the pupils.

The academy aims to comply as quickly as possible with requests for access to personal information and will ensure that it is provided within a reasonable time, unless there is a good reason for delay. When a request for access cannot be met within a reasonable time, the reason will be explained in writing to the parent / legal guardian making the request. In the event that personal data prove to be incorrect, the parent / legal guardian concerned may request to rectify, erase or not to use the information in question.

9. Enquiries

All enquiries related to this academy's Data Protection Policy should be directed to the Principal.

10. Monitoring and review

This policy will be reviewed by the Principal and Academy Councillors every two years.