



**ANTON INFANT SCHOOL**

**ANDOVER**

## **DATA PROTECTION POLICY**

**THIS POLICY WAS REVIEWED BY A PHIPPS**

**AGREED BY STAFF IN JAN 2023**

**APPROVED BY GOVERNORS IN FEB 2023**

**DATE FOR REVIEW: SPRING 2025**

Signed: \_\_\_\_\_ (Headteacher)

Signed: \_\_\_\_\_ (Chair of Governors)

Date: \_\_\_\_\_

## Data Protection Policy

The school collects and uses identifiable personal information (referred to in the General Data Protection Regulation (GDPR) as data) about staff, pupils, parents and other individuals who come into contact with the school. This information is gathered in order to enable the provision of education and other associated functions. In addition, the school may be required by law to collect, use and share certain information.

This policy meets the requirements of the:

- UK General Data Protection Regulation (UK GDPR) – the EU GDPR was incorporated into UK legislation, with some amendments, by [The Data Protection, Privacy and Electronic Communications Act 2003 \(Amendments etc\) \(EU Exit\) Regulations 2020](#)
- [Data Protection Act 2018 \(DPA 2018\)](#)

It is based on guidance published by the Information Commissioner's Office (ICO) on the [UK GDPR](#).

In addition, this policy complies with regulation 5 of the [Education \(Pupil Information\) \(England\) Regulations 2005](#), which gives parents the right of access to their child's educational record.

The school collectively acts as the Data Controller of the personal data that it collects, processes and receives for these purposes, and is represented centrally by the Headteacher.

The school's Data Protection Officer is Mrs Emma Kingman who may be contacted in the school reception/admin office or by email at [adminoffice@anton-inf.hants.sch.uk](mailto:adminoffice@anton-inf.hants.sch.uk).

The school issues Privacy Notices (also known as a Fair Processing Notices) to all pupils/parents and staff (see appendix 1 and 2). These summarise the personal information held about pupils and staff, the purpose for which it is held and processed, and with whom it may be shared. It also provides information about an individual's rights in respect of their personal data.

### Purpose

This policy sets out how the school is to process personal information correctly and securely and in accordance with the GDPR, and other related legislation.

This policy applies to all personal information however it is collected, used, recorded and stored by the school regardless of format or storage method.

### **What is identifiable personal information / data?**

Identifiable personal information or data means any information relating to an identified or identifiable living individual. An identifiable individual (also known as a data subject) is one who can be identified, directly or indirectly by reference to details such as a name, an identification number, location data, an online identifier or by their physical, physiological, genetic, mental, economic, cultural or social identity. Identifiable personal data includes (but is not limited to) an individual's name, address, date of birth, photograph, bank details and other information that identifies them.

### **Data Protection Principles**

The GDPR establishes six principles, as well as a number of additional duties that must be complied with at all times:

1. Personal data shall be processed lawfully, fairly and in a transparent manner. In order for personal data to be processed lawfully, it must be processed on the basis of one of the legal grounds set out in the GDPR. These include (amongst other relevant conditions) where processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority exercised by the school.

Where the special categories of personal data are processed, this shall include (amongst other relevant conditions) where processing is necessary for reasons of substantial public interest. When processing special category data in the course of school business, the school will ensure that these requirements are met where relevant.

2. Personal data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes (subject to exceptions for specific archiving purposes). The school will only process personal data for specific purposes and will notify those

purposes to the data subject when it first collects the personal data, or as soon as possible thereafter.

3. Personal data shall be adequate, relevant and limited to what is necessary to the purposes for which they are processed and not excessive. Personal data which is not necessary for the purpose for which it is obtained will not be collected.
4. Personal data shall be accurate and, where necessary, kept up to date. Personal data should be reviewed and updated as necessary and should not be retained unless it is reasonable to assume that it is accurate. Individuals should notify the school of any changes in circumstances to enable records to be updated accordingly. The school will be responsible for ensuring that updating or records takes place where appropriate.
5. Personal data shall be kept in a form that permits the identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed. The school will not keep personal data for longer than is necessary for the purpose or purposes for which they were collected and will take reasonable steps to destroy or erase from its systems all data which is no longer required.
6. Personal data shall be processed in a manner that ensures appropriate security of the personal data and which includes protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

### **Data Transfer Overseas**

Personal data shall not be transferred to a country or territory outside the European Economic Area, unless that country or territory ensures an adequate level of data protection.

### **Commitment**

The school is committed to maintaining the principles and duties in the GDPR at all times. Therefore, the school will:

- Inform individuals of the identity and contact details of the data controller.
- Inform individuals of the contact details of the Data Protection Officer.
- Inform individuals of the purposes for which personal information is being collected and the basis for this.
- Inform individuals when their information is shared, and why and with whom, unless the GDPR provides a reason not to do this.
- If the school plans to transfer personal data outside the EEA, the school will inform individuals and provide them with details of where they can obtain details of the safeguards for that information.
- Inform individuals of their data subject rights.
- Inform individuals that the individual may withdraw consent (where relevant) and that if consent is withdrawn that the school will cease processing their data although that will not affect the legality of data processed up until that point.
- Provide details of the length of time an individual's data will be kept.
- Should the school decide to use an individual's personal data for a different reason to that for which it was originally collected, the school shall inform the individual and where necessary seek consent.
- Check the accuracy of the information it holds and review it at regular intervals.
- Ensure that only authorised personnel have access to the personal information, whatever medium (paper or electronic) it is stored in.
- Ensure that clear and robust safeguards are in place to ensure personal information is kept securely and to protect personal information from loss, theft and unauthorised disclosure, irrespective of the format in which it is recorded.
- Ensure that personal information is not retained longer than it is needed in accordance with the school's retention schedule.
- Ensure that when information is destroyed that it is done so appropriately, securely and with a record made.
- Share personal information with others only when it is legally appropriate to do so. Records must be made and kept of what information is shared with whom, for what purposes, and that the recipients have taken responsibility for its protection.

- Comply with the duty to respond to requests for access to personal information (known as Subject Access Requests).
- Ensure that personal information is not transferred outside the EEA without the appropriate safeguards.
- Ensure that all staff and governors are aware of and understand these policies and procedures.

## **General and Specific Roles and Responsibilities**

### **General**

This policy applies to **all staff** employed by our school, and to external organisations or individuals working on our behalf. Staff who do not comply with this policy may face disciplinary action. Specific responsibilities within this policy will apply.

### **Governing Body**

The Governing Body has overall responsibility for ensuring that our school complies with all relevant data protection obligations and to this policy.

### **Data Protection Officer**

The Data Protection Officer (DPO) is responsible for overseeing the implementation of this policy, monitoring our compliance with data protection law, and developing related policies and guidelines where applicable. This role should be reflected in the holder's job description and duties, suitable training should be made available, and performance in the role should be monitored and assessed.

Where relevant, they will report to the Governing Body their advice and recommendations on school data protection issues. The DPO is also the first point of contact for individuals whose data the school processes, and for the ICO.

The school's DPO is Mrs Emma Kingman who may be contacted in the school office or by email at [adminoffice@anton-inf.hants.sch.uk](mailto:adminoffice@anton-inf.hants.sch.uk).

### **Headteacher**

The headteacher acts as the representative of the School Data Controllers on a day-to-day basis.

## **All staff**

Staff are responsible for:

- Collecting, storing and processing any personal data in accordance with this policy
- Informing the school of any changes to their personal data, such as a change of address
- Contacting the DPO in the following circumstances:
  - With any questions about the operation of this policy, data protection law, retaining personal data or keeping personal data secure
  - If they have any concerns that this policy is not being followed
  - If they are unsure whether or not they have a lawful basis to use personal data in a particular way
  - If they need to rely on or capture consent, draft a privacy notice, deal with data protection rights invoked by an individual, or transfer personal data outside the UK
  - If there has been a data breach
  - Whenever they are engaging in a new activity that may affect the privacy rights of individuals
  - If they need help with any contracts or sharing personal data with third parties

## **Retention and Disposal of Personal Data**

The school is to maintain a retention schedule under the care of the DPO that is specific and relevant to the specific types of information retained. The schedule outlines the appropriate periods for retention in each case.

The Governing Body is responsible for monitoring that the DPO is complying with the requirements of the school's data retention schedule.

The school will dispose of personal data in a way which protects the rights and privacy of data subjects (e.g. shredding, disposal as confidential waste, secure electronic deletion) as appropriate.

During the specification and commissioning of new IT systems, projects and their upgrades for the school, due consideration is to be given to compliant retention, processing, security and disposal of data covered under this policy.

### **Complaints**

Complaints will be dealt with in accordance with the school's complaints policy. After full internal investigation, and if still unable to achieve a suitable mutual resolution, complaints relating to the handling of personal information may be referred to the Information Commissioner, who can be contacted at Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or at [www.ico.org.uk](http://www.ico.org.uk).

### **Review**

This policy will be reviewed as it is deemed appropriate, but no less frequently than every two years. The policy review will be undertaken by the DPO, Headteacher, or a Governor as mutually arranged.

### **Contacts**

If you have any enquires in relation to this policy, please contact the DPO, Mrs Emma Kingman via the Admin Office which will also act as the contact point for any ongoing queries.

Last reviewed and updated Jan 2023



## APPENDIX 1 – PRIVACY NOTICE FOR CHILDREN

Anton Infant School is the data controller for the use of personal data in this privacy notice.

### The categories of pupil information that we process include:

- personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- characteristics (such as ethnicity, language, and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment (such as key stage 1 and phonics results, post 16 courses enrolled for and any relevant results)
- behavioural information (such as exclusions and any relevant alternative provision put in place).

### Why we collect and use pupil information

The personal data collected is only that essential for the school to fulfil its official functions and meet legal requirements. We collect information from you about your child(ren) and may receive information about them from their previous school and Hampshire County Council. We hold this personal data and use/share it to:

- Support your child(ren)'s teaching and learning;
- Monitor and report on their progress;
- Contribute to improving your child(ren)'s health and reducing inequalities;
- Keep children safe (food allergies or emergency contact details);
- Provide appropriate pastoral care;
- Statistical forecasting and planning;
- Assess how well their school is doing; and
- Meet the statutory duties placed upon us by the Department for Education.

### Who we share pupil information with

***We will not give information about your child(ren) to anyone outside the school without your consent unless the law allows us to.***

We are required by law to pass some information about your child(ren) to the Local Authority and the Department for Education (DfE)

We also have local arrangements in place where the school exchanges information with the school nurse, the extended schools provider and Anton Friends.

If you want to see a copy of the information about your child(ren) that we hold and/or share, please contact Mrs Emma Kingman, Anton Infant School Office – 01264

365168.

If you require more information about how the Local Authority (LA) and/or DfE store and use your information, then please go to the following websites:

**For Hampshire County Council:**

The County Council has their own privacy notice, which can be accessed via the following link:

<https://www.hants.gov.uk/educationandlearning/dataprotection/privacynoticetemplates#step-2>

and

**For the DfE:**

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

If you are unable to access these websites we can send you a copy of this information. Please contact the LA or DfE as follows:

- Data Protection Team  
Children's Services  
Elizabeth II Court (North)  
The Castle  
WINCHESTER  
SO23 8UQ  
Website: <https://www.hants.gov.uk/educationandlearning>  
email: [childrens.services.dp@hants.gov.uk](mailto:childrens.services.dp@hants.gov.uk)  
Telephone: 01962 845320
- Public Communications Unit  
Department for Education  
Sanctuary Buildings  
Great Smith Street  
London  
SW1P 3BT  
Website: <https://www.gov.uk/government/organisations/department-for-education>  
email: <http://www.education.gov.uk/help/contactus>  
Telephone: 0370 000 2288

## APPENDIX 2 – PRIVACY NOTICE FOR STAFF

Anton Infant School is the Data Controller for the use of personal data in this privacy notice.

### The categories of workforce information that we process include:

- personal information (such as name, employee or teacher number, national insurance number)
- characteristics information (such as gender, age, ethnic group)
- contract information (such as start date, hours worked, post, roles and salary information)
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)

### Why we collect and use workforce information

Personal data is held by the school about those employed or otherwise engaged to work at the school or Local Authority. This is to assist in the smooth running of the school and/or enable individuals to be paid. The collection of this information will benefit both national and local users by:

- Improving the management of school workforce data across the sector;
- Enabling a comprehensive picture of the workforce and how it is deployed to be built up;
- Informing the development of recruitment and retention policies;
- Allowing better financial modeling and planning;
- Enabling ethnicity and disability monitoring;
- Supporting the work of the School Teacher Review Body and the School Support Staff Negotiating Body; and
- Enabling individuals to be paid.

### Who we share workforce information with

***We will not give information about you to anyone outside the school without your consent unless the law allows us to.***

We are required by law to pass on some of this data to:

- the Local Authority (LA); and
- the Department for Education (DfE).

If you require more information about how the LA and/or DfE store and use this data please go to the following websites:

#### **For Hampshire County Council:**

The County Council have their own privacy notice, which can be accessed via the following link:

<https://www.hants.gov.uk/educationandlearning/dataprotection/privacynoticetemplates#step-2>

and

**For the DfE:**

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

If you are unable to access these websites we can send you a copy of this information. Please contact the LA or DfE as follows:

- Data Protection Team  
Children's Services  
Elizabeth II Court (North)  
The Castle  
WINCHESTER  
SO23 8UQ  
Website: <https://www.hants.gov.uk/educationandlearning>  
email: [childrens.services.dp@hants.gov.uk](mailto:childrens.services.dp@hants.gov.uk)  
Telephone: 01962 845320
- Public Communications Unit  
Department for Education  
Sanctuary Buildings  
Great Smith Street  
London  
SW1P 3BT  
Website: <https://www.gov.uk/government/organisations/department-for-education>  
email: <http://www.education.gov.uk/help/contactus>  
Telephone: 0370 000 2288