

DATA PROTECTION POLICY & PROCEDURE

School Tier: Whole School

Related Policies:

Policy Aims

This policy is intended to ensure that personal information is dealt with correctly and securely and in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018, and other related legislation. It will apply to information regardless of the way it is collected, used, recorded, stored and destroyed, and irrespective of whether it is held in paper files or electronically.

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.

General statement of the College's duties

Worksop College and Ranby House collect and use personal information about staff, pupils, parents 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 the school complies with its statutory obligations.

Schools have a duty to be registered, as Data Controllers, with the Information Commissioner's Office (ICO) detailing the information held and its use. These details are then available on the ICO's website. Schools also have a duty to issue a Fair Processing Notice to all pupils/parents, this summarises the information held on pupils, why it is held and the other parties to whom it may be passed on.

Data Protection Controller

Worksop College and Ranby House have appointed a Data Protection Officer (DPO) who will endeavour to ensure that all personal data is processed in compliance with this Policy and the principles of the UK GDPR.

The DPO can be contacted at: DPO@wsnl.co.uk

The UK GDPR Principles

The UK GDPR sets out seven key principles:

- Lawfulness, fairness and transparency
- Purpose limitation
- Data minimisation
- Accuracy

- Storage limitation
- Integrity and confidentiality (security)
- Accountability

These principles lie at the heart of our approach to processing personal data.

Pupils, Parents and Guardians – Information

Personal Data

Personal information is defined as any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

Worksop College and Ranby House may process a wide range of personal data about pupils, their parents or guardians as part of its operations. This personal data may include (but is not limited to): names, and addresses, bank details, academic, disciplinary, admissions and attendance records, references, examination scripts and marks.

Special categories of personal data are identified as personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade-union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation. Worksop College and Ranby House also collect some of this data for use internally and for census collation.

Processing of Personal Data

Processing means any operation or set of operations which is performed on personal data or on sets of personal data, whether by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

Consent may be required for the processing of personal data, and if the processing is necessary for Worksop College or Ranby House to undertake its obligations to pupils and their parents or guardians, any information which falls under the definition of personal data and is not otherwise exempt will remain confidential and will only be disclosed to third parties with the consent of the appropriate individual or under the terms of this policy.

Sensitive Personal Data

Worksop College and Ranby House may, from time to time, be required to process sensitive personal data regarding pupils or their parents/guardians. This sensitive personal data includes medical information and the data relating to religion, race or criminal records or proceedings. Where sensitive personal data is processed by Worksop College and Ranby House the explicit consent of the appropriate individual will generally be required in writing.

Biometric Data

Biometric data is personal information about an individual's behavioural or physical characteristics that can be used to identify them; these can include fingerprints. All biometric data is considered by the Information Commissioner to be personal data as defined by the UK GDPR. Therefore, biometric data must be obtained, used and stored in accordance with this regulation. In addition, Worksop College and Ranby House must adhere to the provisions of Protection of Freedoms Act 2012 that relate to the use of biometric data as part of an automated biometric recognition system.

Processing of Biometric Data

Worksop College and Ranby House will ensure that each parent is notified prior to their intention to use pupil's biometric data. Written consent must be obtained from at least one parent before biometric data is taken from the pupil and used. This will apply to all pupils under the age of 18 and no biometric data will be processed without written consent.

Worksop College and Ranby House will not process biometric data of a pupil if: the pupil declines to participate, no parental consent is obtained or either parent objects in writing regardless of prior written consent given. Worksop College and Ranby House will provide alternative means for pupils to access services where consent has not been given or obtained.

The processing of biometric data may include the holding, recording, obtaining or any operation on the data that includes: altering, deleting, organising and disclosing the data. When the pupil leaves Worksop College or Ranby House their biometric data will be securely deleted.

Photographs

To ensure compliance with the UK GDPR, pupils whose photographs are taken for official Worksop College or Ranby House use, may be used without specific consent, as long both schools have indicated their intentions in their privacy notices. Photographs or videos taken for personal use by parents and guardians are exempt from the UK GDPR.

CCTV

CCTV will be used to monitor activities within the school and its grounds. It will be used for the purpose of safeguarding the pupils, staff, visitors of Worksop College/Ranby House. Both schools will ensure the CCTV system is compliant with the UK GDPR. The digital images recorded of a recognisable person will be treated as personal data and therefore will be processed according to the UK GDPR. Access to such images can be requested in subject access requests as outlined below.

Viewing of images from the CCTV will be restricted to staff who need access in line with the purpose of the system. Any release of such images to third parties will only be made in accordance with the purpose of the system.

Subject Access Requests

The UK GDPR gives individuals the right of access to information held by Worksop College and Ranby House about them. Any individual wishing to access their personal data should put their request in writing to the DPO.

Response Timeframes: Worksop College and Ranby House will respond to any such written request without undue delay and in any event within one month of receipt of the request. The one-month period begins on the day the request is received (whether it is a working day or not) and runs until the corresponding calendar date in the following month.

Extension: This timeframe may be extended by up to two further months where the request is complex or where we have received several requests from the individual. Where an extension is required, we will inform the individual within one month of receiving the request and explain why the extension is necessary.

Fees: Generally, we will not charge a fee for responding to subject access requests. However, we may charge a reasonable administrative fee or refuse to respond to a request if it is manifestly unfounded or excessive, particularly if it is repetitive.

Exemptions From Disclosure

Certain data is exempt from the right of access under the UK GDPR, and this may include:

- Information which identifies other individuals
- Information which either school reasonably believes is likely to cause damage or distress
- Information which is subject to legal professional privilege
- Pupil examination scripts (Worksop College is not required to disclose these)
- Information used for the prevention or detection of crime
- Information used for the assessment of any tax or duty
- Where the processing is necessary to exercise the right or obligation conferred or imposed by law upon Worksop College and Ranby House

Both schools will also treat as confidential any reference given by Worksop College or Ranby House for the purpose of the education, training or employment of any pupil. Worksop College and Ranby House acknowledges that an individual may have the right to access a reference relating to them received by either school. However, such a reference will only be disclosed if such disclosure will not identify the source of the reference, where the referee has given their consent, and where disclosure is reasonable in all the circumstances.

Whose Rights

The rights under the UK GDPR are those of the individuals to whom the data relates. Worksop College and Ranby House will however, in most cases rely on parental consent to process data relating to pupils unless, given the nature of the processing in question and the pupil's age and understanding, it is unreasonable in all the circumstances to rely on the parents' consent. Parents should be aware that in such situations they may not be consulted.

Both schools will only grant a pupil direct access to his/her personal data if, in their reasonable belief, the pupil understands the nature of the request. Pupils agree that both schools may disclose their personal data to their parents or guardian. Where a pupil seeks to raise concerns confidentially with a member of staff and expressly withholds their agreement to their personal data being disclosed to his/her parents or guardian, Worksop College and Ranby House will maintain confidentiality unless it has reasonable grounds to believe that the pupil does not fully understand the consequences of withholding their consent, or where the schools believe disclosure will be in the best interests of the pupil or other pupils.

Disclosure of Information

Worksop College and Ranby House may receive requests from third parties to disclose personal data it holds about pupils, their parents or guardians. Both schools confirm that they will not generally disclose information unless the individual has given their consent or one of the specific

exemptions under the UK GDPR applies. However, both sites do intend to disclose such data as is necessary to third parties for the following purposes:

- To give a confidential reference relating to the pupil to any educational institution which the pupil may attend
- To give a confidential reference relating to the pupil to a prospective employer who seeks a reference
- To give information relating to outstanding fees or payment history to any educational institution which the pupil may attend
- To publish the results of public examinations or other achievements of pupils of the College
- To disclose details of a pupil's medical record where it is in the pupil's interest to do so, for example for medical advice, insurance purposes or to the organisers of school trips
- Where either school receives a disclosure request from a third party it will take reasonable steps to verify the identity of that third party before making any disclosure

Use of Personal Information by Worksop College and Ranby House

Worksop College and Ranby House will, from time to time, make use of personal data relating to pupils/former pupils, their parents or guardians. They will make use of photographic images of pupils in school publications and on the website. However, either site will not publish a photograph of an individual pupil with their name on the website without the express agreement of the appropriate individual.

The schools will further use personal data for fundraising, marketing or promotional purposes and to maintain relationships with pupils of the schools, including transferring information to any association, society or club set up for the purpose of establishing or maintaining contacts with pupils/former pupils or for fundraising, marketing or promotional purposes. Should any parent/former pupil wish to limit or object to any such use, they should notify the DPO or Director of Marketing in writing.

Accuracy

Worksop College and Ranby House will endeavour to ensure that all personal data held in relation to an individual is accurate. Individuals must notify the DPO of any changes to information held about them. An individual has the right to request that inaccurate information about them is either erased or corrected.

Security

Worksop College and Ranby House will take reasonable steps to ensure that members of staff will only have access to the personal data relating to the pupils, their parents or guardians where it is necessary for them to do so. All staff will be made aware of this policy and their duties under the UK GDPR. Both sites will ensure that all personal information is held securely and is not accessible to unauthorised persons.

Data Retention

Personal data will only be retained for as long as necessary to fulfil the purposes for which it was collected or as required by law. The schools maintain a data retention schedule which sets out how long different types of information will be kept.

Data Protection Impact Assessments

Where processing is likely to result in a high risk to the rights and freedoms of individuals, a Data Protection Impact Assessment (DPIA) will be carried out before the processing begins. This includes processing involving new technologies, systematic monitoring, or processing of special categories of data.

Artificial Intelligence And Automated Decision-Making

Where the schools use artificial intelligence systems or engage in automated decision-making that produces legal or similarly significant effects, appropriate safeguards will be implemented including human oversight, transparency measures, and the right for individuals to request human intervention.

Staff Information

Personal Data

Worksop College and Ranby House are required to process relevant personal data regarding teaching and non-teaching staff as part of its operation and shall take all reasonable steps to do so in accordance with this Policy.

Personal data covers both facts and opinions about an individual. It includes information necessary for employment such as an employee's name and address and details for payment of salary.

Processing of Personal Data

A member of staff's consent may be required for the processing of personal data unless processing is necessary for the performance of the contract of employment. Any information, which falls under the definition of personal data and is not otherwise exempt, will remain confidential and will only be disclosed to third parties with the consent of that member of staff.

Sensitive Personal Data

Worksop College and Ranby House may, from time to time, be required to process sensitive personal data regarding a member of staff. Sensitive personal data includes medical information and data relating to religion, race, trade union membership and criminal records and proceedings. Where sensitive personal data is processed by either school, the explicit consent of the member of staff will generally be required in writing.

Rights Of Access To Information

All staff have a right of access to information held by Worksop College and Ranby House. Any member of staff wishing to access their personal data should put their request in writing to the DPO. The school will respond to any such written requests without undue delay and in any event within one month of receipt of the request.

Exemptions

Certain data is exempted from the provisions of the UK GDPR, which includes data used for the following:

- The prevention or detection of crime
- The assessment of any tax or duty

- Where the processing is necessary to exercise a right or obligation conferred or imposed by law upon Worksop College and Ranby House

The above are examples only of some of the exemptions under the Act. Any further information on exemptions should be sought from the DPO.

Disclosure

Worksop College and Ranby House may receive requests from third parties to disclose personal data it holds about a member of staff. The schools confirm that they will not generally disclose information unless the individual has given their consent or one of the specific exceptions under the UK GDPR applies. However, both sites do intend to disclose such data as is necessary to third parties for the following reason:

- To give a confidential reference relating to the member of staff to a prospective employer, further training institutions and other bodies who seek a professional reference in support of an application

Accuracy

Worksop College and Ranby House will endeavour to ensure that all personal data held in relation to teaching staff is accurate. Members of staff must notify the DPO of any changes to information held about them. A member of staff has the right to request that inaccurate information about them is either erased or corrected.

Enforcement

If an individual believes that Worksop College or Ranby House have not complied with this Policy or acted otherwise than in accordance with the UK GDPR they should utilise the school Complaints Procedure. If they remain dissatisfied, they have the right to refer the matter to the Information Commissioner. The Information Commissioner can be contacted as follows:

Information Commissioner's Office

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Helpline number: 0303 123 1113

Website: www.ico.org.uk

Further Information

Further advice and information is available from the Information Commissioner's Office at www.ico.org.uk and the Department for Education's guidance on data protection in schools at www.gov.uk/guidance/data-protection-in-schools

References:

Legal Framework:

General Guidance:

Technological:

Boarding Schools:

Appendix: