

Milton Abbot School



Data Protection Policy

Governors Committee: Finance Committee (resources)
Review Required Annually or on Change of Model Policy
Current Policy: April 2018 (from County advisory docs, January 18)

REVIEW NOTES

Date of review:	Notes:
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Policy: January 2018 Version: Devon Advice, 01.18

Context: In May 2018, General Data Protection Regulations were introduced. This document outlines our clear principles when handling, storing, transferring and sharing personal data

Data protection guiding principles

1 Personal data shall be processed fairly & lawfully

- This is the most important principle, if we don't comply with this anything else we do with someone's information will be unlawful.
- **Fairly** – we need to make it clear to all individuals who we obtain personal information about, who we are, what we want to do with their information and who we might disclose their information to
- **Lawfully** – any information obtained, used, disclosed or destroyed (processed) must be done so lawfully. This means that we need to have a legal power enabling us to process personal information, this could be if someone gives us their permission, for example.

2 Personal data shall be processed for specified and lawful purposes and shall not be further processed in any manner incompatible with those purposes.

- This means that we can only use someone's information for the purpose(s) outlined in our 'Notification' and for the purpose(s) we stipulated at the time of collecting the information.
- Milton Abbot School cannot re-use personal information for unrelated purposes without obtaining further consent from the data subject.

3 Personal data shall be adequate, relevant and not excessive

- Individuals who collect and input data must ensure that the information is adequate, relevant and not excessive for the purpose for which it was obtained.
- Individuals have a right of access to information held about them, whether held in a handwritten note, in an email or in a formal document.

4 Personal data shall be accurate and where possible kept up to date

- This places an obligation on the council to ensure that the personal information we hold is accurate and up to date.
- We need to review the information we hold about people regularly and change any out of date or inaccurate information. Data is inaccurate for the purpose of the Data Protection Act if it is incorrect or misleading.
- You have the right to have inaccurate data held about you erased or destroyed and can claim compensation for any damage or distress that has been caused by any contravention of the Data Protection Act.

5 Personal data must not be kept for longer than necessary

- Personal information must be reviewed on a regular basis and out-of-date or irrelevant information should be deleted or destroyed

6 Personal data shall be processed in accordance with the rights of data subjects

- One of the rights under the Data Protection Act is 'Subject Access'. This gives everyone the right to obtain a copy of any personal information held about them (including opinions), subject to certain exemptions. Find out how to make a subject access request or contact the Information Governance Team.

7 Personal data shall be kept secure

- Employees, contractors and agents must keep all personal information secure. Extensive guidance is provided on our staff intranet.

8 Data must not be transferred to countries without adequate security

- Personal data must not be transferred to a country or territory outside the European Economic Area unless that country or territory can ensure an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

Introduction

This policy describes how this personal data must be collected, handled and stored to meet the company's data protection standards – and to comply with the law.

Why this policy exists

This data protection policy supports and challenges Milton Abbot School to:

- Comply with data protection law and follow good practice
- Protect the rights of staff, pupils, parents and partners (all those whose data is recorded by school)
- be open about how it stores and processes individuals' data
- Protect itself from the risks of a data breach

Data protection law

The Data Protection Act 1998 describes how organisations must collect, handle and store personal information. The General Data Protection Regulations of 2018 (May) makes the need for robust data protection practices a very real need.

- These rules apply regardless of whether data is stored electronically, on paper or on other materials.
- To comply with the law, personal information must be collected and used fairly, stored safely and not disclosed unlawfully.

Milton Abbot School seeks to ensure that private information is:

1. processed fairly and lawfully
2. obtained only for specified, lawful purposes
3. adequate, relevant and not excessive
4. accurate and kept up to date
5. not to be held for any longer than necessary
6. processed in accordance with the rights of data subjects
7. protected in appropriate ways
8. not to be transferred outside the European Economic Area (EEA), unless that country or territory also ensures an adequate level of protection.

Policy scope

This policy applies to:

- All staff and volunteers of Milton Abbot School
- All contractors, suppliers and other people working on behalf or with Milton Abbot School.
- It applies to all data that the school holds relating to identifiable individuals. This can include:
 - Names of individuals
 - Postal addresses
 - Email addresses
 - Telephone numbers
 - ...plus any other information relating to individuals

Data protection risks

This policy helps to protect Milton Abbot School from some very real data security risks, including:

- **Breaches of confidentiality.**

For instance, information being given out inappropriately.

- **Failing to offer choice.**

For instance, all individuals should be free to choose how the school uses data relating to them.

Responsibilities

- Milton Abbot School has a designated Data Protection Officer, with the right amount of expert knowledge in this field, namely: **Mr Baker**.
- Milton Abbot School commits to buying in an external audit tri-annually (at least)
- Everyone who works for or with Milton Abbot School has some responsibility for ensuring that data is collected, stored and handled appropriately.
- Each employee or volunteer that handles personal data must ensure that it is handled and processed in line with this policy and data protection principles.

Data storage

These rules describe how and where data should be safely stored. Questions about storing data safely can be directed to the data controllers (Headteacher and/or the Administrator).

When data is **stored on paper**, it should be kept in a secure place where unauthorised people cannot see it.

These guidelines also apply to data that is usually stored electronically but has been printed out for some reason:

- When not required, the paper or files should be kept in a locked drawer or filing cabinet.
- Employees should make sure paper and printouts are not left when unauthorised people could see them, like on a printer.
- Data printouts should be shredded and disposed of securely when no longer required.

When data is stored electronically, it must be protected from unauthorised access, accidental deletion and malicious hacking attempts:

- Data should be **protected by strong passwords** that are changed regularly and never shared between employees.
- If data is **stored on removable media** it should be encrypted.
- Servers containing personal data should be **sited in a secure location**, away from general office space.
- Data should be **backed up frequently**. Those backups should be tested regularly, in line with the company's standard backup procedures.
- Data should **never be saved directly** to laptops or other mobile devices like tablets or smart phones. All devices should be encrypted as part of best practice. Milton Abbot School does not have laptops for employees to take home. Annual report writing should be managed via an encrypted USB stick dedicated only to this

task. Employees should sign that they have received this dedicated memory device and further sign to evidence that they understand how to keep it data safe; these devices should then be returned to the school office once reports need printing.

- All servers and computers containing data should be protected by **approved security software and a firewall**.

Data Use

Milton Abbot School began with an internal audit of what data it collects and why; how it is stored securely; who has access and when it is destroyed. Data is only used as part of our ongoing educational duties and all those who have their data stored should be aware of our Privacy notice and what their data is to be used for. They must opt in.

- When working with personal data employees should ensure **the screens of their computers are always locked** when left unattended.
- Personal data should **not be shared informally**. In particular it should never be sent by email, as this form of communication is not secure.
- Data must be **encrypted before being transferred electronically**. The IT manager can explain how to send data to authorised external contacts.
- Employees **should not save copies of personal data to their own computers**. Always access and update the central copy of any data.

Data accuracy

The law requires GDPR.co.uk to take reasonable steps to ensure data is kept accurate and up to date.

The more important it is that the personal data is accurate, the greater the effort GDPR.co.uk should put into ensuring its accuracy.

It is the responsibility of all employees who work with data to take reasonable steps to ensure it is kept as accurate and up to date as possible.

- Data will be held in **as few places as necessary**. Staff should not create any unnecessary additional data sets.
- Staff should **take every opportunity to ensure data is updated**. For instance, by confirming a customer's details when they call.
- GDPR.co.uk will make it **easy for individuals to update the information** GDPR.co.uk hold about them. For instance, via the company website.
- Data should **be updated as inaccuracies are discovered**. For instance, if a customer can no longer be reached on their stored telephone number, it should be removed from the database.

Subject access requests

All individuals who are the subject of personal data held by Milton Abbot School are entitled to:

- Ask **what information** the company holds about them and why.
- Ask **how to gain access** to it.
- Be informed **how to keep it up to date**.

- Are aware of all the rights afforded to them by the General Data Protection Regulations

If an individual contacts the school requesting this information, this is called a subject access request.

The data controller will always verify the identity of anyone making a subject access request before handing over any information.

Providing information

Milton Abbot School always seeks to ensure that individuals are aware that their data is being processed, and that they understand:

- How the data is being used
- How to exercise their rights

To these ends, the school has a privacy notice, setting out how data relating to individuals is used by the company.

Useful Links:

Information for Schools

<https://ico.org.uk/your-data-matters/schools/>

Guidance and Facts

<https://ico.org.uk/for-organisations/guide-to-freedom-of-information/what-is-the-foi-act/>