

St Mary's School and College
Confidentiality and Data Protection Policy

Policy written for	<i>All staff and CYP (Children and Young People) at St Mary's School and College</i>
Lead Member of staff	Title: Head of Finance and HR
Rationale	To ensure that data held by the Trust is obtained fairly, stored securely and not disclosed either orally or in writing, accidentally or otherwise, to any unauthorised third party.
Introduction	<p>St Mary's is registered under the Data Protection Act and needs to retain certain information about its staff, parents and CYP.</p> <p>It is also necessary to process this information, for example, so that employees can be recruited and paid or that CYP information can be entered into the annual census.</p> <p>It is very important that such data is held securely and processed in line with the Data Protection Act 1998 (amended 2002)</p>
The Aim of this policy	<p>It is the legal responsibility of everyone at St Mary's and The Talking Trust to ensure that they work within the terms of this policy and the principles set out in the Data Protection Act 1998 (amended 2002).</p> <p>This policy lays out the Talking Trust's and St Mary's and obligations to you under the legal framework for data protection and your obligations to St Mary's and the Talking Trust.</p>
The Objective of this policy	<p>The objective of this policy is to inform staff on how data:</p> <ul style="list-style-type: none"> • should be obtained • should be processed • should be secured
Procedures and Practices	<p>The Principles of the Data Protection Act that must be complied with are that personal data will:</p> <ul style="list-style-type: none"> • Be obtained and processed fairly and lawfully and will not be processed unless certain conditions are met • Be obtained for a specified and lawful purpose and will not be processed in any manner incompatible with that purpose • Be adequate, relevant and not excessive for those purposes • Be accurate and kept up to date • Not be kept for longer than is necessary for that purpose • Be processed in accordance with the data subject's rights • Be kept safe from unauthorised access, accidental loss or destruction • Not be transferred to a country outside the European Economic Area, unless that country has equivalent levels of protection for personal data <p>Any member of staff, CYP or individual on whom the Talking Trust / St Mary's holds information who considers that the policy has not been</p>

followed in respect of personal data about themselves, should raise the matter with the designated data controller (Head of Finance and HR) initially. If the matter is not resolved it should be raised as a formal grievance.

Notification of Data Held and Processed:

All staff, CYP or any individual on whom St Mary's holds information are entitled to know:

- what information the Trust holds and processes about them and why
- how to gain access to it
- how to keep it up to date
- what St Mary's and The Talking Trust is doing to comply with its obligations under the Data Protection Act 1998

Responsibilities of Staff and CYP or their representative:

As an individual you are responsible for:

- Checking that any information you provide to the Talking Trust in connection with your employment is accurate and up to date
- Informing the Talking Trust of any changes to information which you have provided e.g. changes of address
- Checking the information that HR sends out from time to time e.g. the annual personal details update and informing HR of any errors or omissions. (The Trust cannot be held responsible for any errors unless you have informed HR).
- Checking information sent home from St Mary's is accurate.
- If, and when, as part of your responsibilities, you collect information about other people, you should follow the guidelines set out in the introduction

Data Security:

As an individual you are responsible for ensuring that:

- Any personal data that you hold is kept securely
- Personal information is not disclosed either orally or in writing, accidentally or otherwise to any unauthorised third party

Personal information should be:

- Kept in a locked filing cabinet, or in a locked drawer, or
- If it is computerised, it should be encrypted and/or password protected, or kept only on disk or memory stick which is itself encrypted and/or password and stored securely. This will be managed by the IT department

Rights to Access Information:

Staff or any individual on whom the school holds information on have the right to access any personal data that is being kept about them, either on computer or in certain files.

Anyone who wishes to exercise this right should report this to the Data Controller (Head of Finance and HR). This request should be made in writing. The school is entitled to make a charge on each occasion that

	<p>access is requested.</p> <p>The Trust would aim to provide access to personal information as quickly as possible, but will make sure that it is provided within 21 working days unless there is good reason for delay. In such cases, the reason for the delay will be explained in writing to the person making the request.</p> <p>Subject Consent: St Mary's and The Talking Trust can only process personal data with the consent of the individual. Agreement to the Trust processing certain types of personal data is a condition of employment for staff. This includes information about previous criminal convictions.</p> <p>All members of staff and volunteers who come into contact with CYP will be subject to DBS (Disclosure & Barring Service) checks. The Trust has a duty under the Children Act and other enactments to ensure that staff are suitable for the job. We also have a duty of care to all staff and volunteers, and must, therefore, make sure that employees and those who use its facilities do not pose a threat or danger to other users.</p> <p>The Trust will also ask for information about particular health needs, such as allergies to particular forms of medication, or any conditions such as asthma or diabetes. We will only use the information in the protection of the health and safety of the individual.</p> <p>Processing Sensitive Information: When data is sensitive, express consent must be obtained to share the information with other specified individuals. Sometimes it is necessary to process information about a person's health, criminal convictions, race, ethnicity, gender and family details. This may be to ensure the Trust is a safe place for everyone, or to operate other policies. Because this information may be sensitive and we recognise that the processing of it may cause concern or distress, staff and CYP will be asked to give express consent for the Talking Trust to do this.</p> <p>Retention of Data: All information will be kept for a minimum of seven years. This will include information necessary in respect of pensions, taxation and information required for job references. A full list of information with retention times is available from the Data Controller.</p> <p>Disposal of information: Printed information will be shredded. Any disks containing information will be physically destroyed and all computer information will be deleted permanently.</p>
<p>Persons with particular responsibilities</p>	<p>All staff, CYP and their representatives.</p>

Joint

Monitoring and Evaluation	Heads of Department / Data Controller
Relevant statutory guidance, circulars, legislation and other sources of information	Useful links: Ofsted: http://www.ofsted.gov.uk DfE: http://www.education.gov.uk
Definitions	

Copies of this policy may be obtained from	<ul style="list-style-type: none"> • <i>The St Mary's website www.stmarysbexhill.org</i> • <i>It is available as a hard copy on request from Reception/staffroom</i> • <i>School networks</i> 	
Participants and consultees in the formulation of this policy were	<i>Senior Management</i>	✓
	<i>Staff</i>	
	<i>Parents</i>	
	<i>Other Stakeholders</i>	
	<i>Governors</i>	✓
	<i>N/A</i>	
Other Participants and Stakeholders	Staff Parents Service Purchasers CYP	