

Author

Date approved by
Finance & Staffing
Committee

HP

6th July 2022

DATA PROTECTION POLICY

Date **approved** by Full **Governors** (if required)

Date of **next**
review

Summer **2023**

Introduction

Cathays High School collects and uses 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** inform individuals including parents and pupils of the **information that it holds. This information should summarise** why **it is** held and any other **parties** to whom **this may** be passed on **to**. Schools **will advise** individuals through Fair **Processing** in concise, transparent, plain language and free of **charge**.

Purpose

This policy is intended to **ensure** that **personal** information is dealt **with correctly** and **securely** and **in** accordance **with** the General Data Protection Regulation (**GDPR**), 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.

What is Personal Information?

Personal information or data is defined as **data that** relates to a **living** individual who can **be** identified from that **data**, or other information held **as defined** within **the** GDPR.

General Data Protection Regulation (GDPR) Principles:

The **GDPR** establishes six enforceable principles **that** must be adhered to at **all times** in that **information must be**:

1. **Processed** fairly, **lawfully** and in a transparent manner
2. Collected for specified explicit and legitimate purposes and not further **processed** in a manner that is incompatible **for** those purposes.

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3. **Adequate** relevant and **limited** to what **is** necessary in **relation** to the **purpose for** which it is **processed**
4. Accurate and where necessary kept up to date
5. Kept **in a form** that permits identification of data **subjects for** no longer than **necessary for** purposes that which the personal data is processed 6.
Processed in a manner that **ensures** appropriate security of the personal data

General Statement

The School is committed to maintaining the **above** principles **at all times**. Therefore, the school **will**:

- Inform individuals **why** the **information** is being **collected** when it **is collected**
- Inform **individuals** when their information **is** shared, and why and **with** whom it **was** shared

Check **the** quality and the **accuracy** of the information it holds **Ensure that** information **is** not retained for longer than **is necessary** **Ensure that** when **obsolete information is** destroyed that it **is done** so Appropriately and securely

Ensure that clear and robust safeguards are in place to protect personal information from loss, theft and unauthorised disclosure, irrespective of the **format** in which it **is** recorded

Share information with others only when **it is** legally **appropriate** to do so

Set out **procedures** to **ensure** compliance with the duty to respond to **requests for access** to personal information, known as Right of Access, **right of rectification**, right **to erasure**, right **to** restrict processing, right to data **portability and** right to object

Ensure our staff are **aware of** and **understand our policies** and procedures

Ensure **our staff are provided with** adequate training and support

Rights of access to information

There **are two** distinct **rights of access** to **information** held by **Schools about pupils**:

1. Under the GDPR any individual has the **right** to make a request to access the personal information held about them.
2. The right of those entitled to have access to curricular and educational **records as** defined **within** the Education **Pupil Information (Wales) Regulations 2004**.

Individual Rights

The GDPR provides the following rights for **individuals**:

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1. The right to be informed

The school will provide concise, transparent, intelligible and easily accessible information about **the processing of** personal data **to individuals via** the Privacy Notice. This **will** be written in clear plain language and **will** clearly set out **how personal data is** processed **within the** school

2. The right of access

The school **will provide** individuals **with** access to their personal data and supplementary information; this **will be processed** as a **subject access request**. Subject Access Requests **will** be free of charge and processed **in line** with the statutory requirements and timeframes.

3. The right to rectification

The school **is** committed to rectifying personal data **if** inaccurate **or** incomplete and notifying any relevant third parties of this.

The school **will** respond **to a request** for rectification **within one month** of receiving the request, **if** the **request** for rectification is deemed complex this **will be** responded **to** within **two** months.

If the school cannot take action in response to a request for rectification we **will provide** a written **explanation** of this, **an** individual **will** then have a right to complain to **the** schools data **protection officer**.

4. The right to erasure

The school **will consider** individual **requests for deletion or removal** of personal data where there **is** no compelling reason for **its** continued **processing**.

Schools **will** inform relevant **third** parties of **erasure** of personal data; unless it **is** impossible, **or involves** disproportionate **effort** to do **so**.

5. The right to restrict processing

The school **will ensure** that data **processing is** restricted **in any of the following** circumstances:

Where an individual's contests the **accuracy** of personal data until the accuracy **is verified**

Where an individual has objected to the processing

When processing **is** unlawful

If the school no longer requires **to** keep the personal data but the **individual** requires the data in relation to a legal claim

If data processing **is** restricted, the school will notify any relevant third parties.

6. The right to data portability

The school **will** comply with individual requests to data **portability free of charge and** within one **month of** receiving the request.

7. The right to object

The school **will** comply with individuals right to object and **will stop processing** personal data unless there are compelling legitimate grounds for **processing or** the processing **is in relation** to a legal claim.

The school **will inform individuals** of their right to object **at** the point of **first communication** in the schools **Privacy Notice**.

8. Rights in relation to automated decision making and profiling

The school **will not** use automated **decision** making **nor profile** any individuals.

The school clearly **sets** out within its **Privacy Notice** what **information we collect/use** and why **this is relevant**.

Subject Access Requests

The school **will process** all **subject access** requests and provide a copy **of** the **information free** of charge and within one month of **receipt**.

The school **will** charge a fee when a request **is manifestly** unfounded or **excessive**, particularly **if** it is **repetitive**,

Further copies **of** the information can be provided at a **reasonable** charge,

If requests are complex or numerous the school has the right to extend the **period** of compliance by **a further two** months. The school **will** notify individuals if **this occurs**.

If a request is manifestly unfounded **or excessive** the school has the right to refuse this request, the school **will notify the** individual and explain **why** they cannot **comply with** the **request** and inform them of their **right** to **complain** to the schools data **protection** officer.

The school **will** verify the identity of the individual making the request **using**

reasonable means.

Complaints

Complaints in relation to processing of personal data should be addressed to the schools data protection **officer**.

Review

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This **policy will be reviewed on** an annual basis. **The policy review will be** undertaken by the Headteacher, **or** nominated representative.

Contacts

If you have any enquires in relation **to this policy**, please contact **[Mr S Davies] on [02920 544400] who will** also act as the contact point **for any requests for** personal data.

Further **advice and information is available from** the **Information Commissioner's Office:**

www.ico.org.uk

The Information **Commissioners Office**

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Telephone: **0303 123 1113** – Helpline **is** open from 9am to 5pm, Monday to Friday

Email: **casework@ico.org.uk**

Signed (Chair of Governors)

Date

Signed (Headteacher)

Date