

Long Buckby Junior School

Data Protection Policy

KEY FACTS:

Policy Objective

This policy provides guidance in respect of data protection and the use of personal data within Long Buckby Junior School.

Scope

This policy applies to Long Buckby Junior School employees, workers, contractors and interns who have access to personal data and they are made aware of this policy.

1. INTRODUCTION

- 1.1. This Data Protection Policy sets out the roles, responsibilities, and procedures around the use of personal data within Long Buckby Junior School.
- 1.2. This policy applies whenever you are collecting or handling personal data (as defined in paragraph 3.4.1) in any way.
- 1.3. Everyone has rights with regard to the way in which their personal data is handled. In the course of our activities we will collect, store and use personal data about pupils, parents and guardians, our fellow colleagues and people in external organisations.
- 1.4. This policy applies to all Long Buckby Junior School employees, workers, contractors and interns and third parties may also be asked to adhere to it. Any breach of this policy may result in disciplinary action/termination of services by Long Buckby Junior School, as appropriate.
- 1.5. This policy does not form part of any employee's contract of employment and may be amended at any time.

2. AIMS OF THIS POLICY

- 2.1. To protect the rights, safety and welfare of individuals, particularly children, in relation to the use of personal data within Long Buckby Junior School.
- 2.2. To help you understand the fundamentals of data protection laws.
- 2.3. To guide you to help ensure that Long Buckby Junior School is compliant with data protection laws.
- 2.4. To understand the risks to Long Buckby Junior School of non-compliance with data protection laws.

3. WHAT DOES THE LAW SAY?

- 3.1. What is the law?
 - 3.1.1. Data protection legislation continues to change in the UK following the UK's exit from the European Union. We comply with all applicable data protection laws and regulations, which may include the General Data Protection Regulation 2016/679 and the Data Protection Act 2018 ("Data Protection Legislation").
- 3.2. What is personal data?
 - 3.2.1. Personal data is any data which relates to a living individual who can be identified from that data (or from that data and other information likely to come into Long

Buckby Junior School's possession). It therefore captures a wide range of data. Examples of personal data are set out in the Schedule. If you are unsure about whether certain information is personal data or not, please speak to the Data Protection Team via head@longbuckby-jun.northants-ecl.gov.uk

3.3. What is special category data (UK GDPR Article 9)?

3.3.1. Data Protection Legislation classes certain types of personal data as special category data. This includes data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data (where used for identification), health data, and data concerning a person's sex life or sexual orientation. These require additional safeguards and may only be processed under one of the Article 9 conditions, which may include explicit consent or substantial public interest (for example, safeguarding or employment law obligations)."

3.4. Who regulates data protection in the UK?

3.4.1. In the UK, Data Protection Legislation is independently enforced by the Information Commissioner's Office ("ICO").

3.5. What happens if we get it wrong?

3.5.1. The ICO has a wide range of powers. It can issue enforcement notices where it tells businesses to remedy a certain breach. It can also publicise data protection breaches on its website which could lead to negative publicity for Long Buckby Junior School, if we are in breach. It also has the right to audit Long Buckby Junior School and fine Long Buckby Junior School for breaches of Data Protection Legislation.

4. The 6 data protection principles

4.1. The Data Protection Legislation sets out 6 data protection principles which you should follow at all times; they are as follows:

4.1.1. Fair, lawful and transparent. The first principle is that personal data shall be processed fairly, lawfully and transparently. Data Protection Legislation is not intended to prevent the processing of personal data, but to ensure that it is done fairly and without adversely affecting the rights of the individuals whose data you are using. It also important to be transparent with individuals in relation to what you do with their data. We let individuals know what we are doing with their data in our privacy notices, these are available on our school website. In addition, all processing of personal data must have a lawful basis under Article 6 of the UK GDPR. For schools, this will usually be a public task carried out in the public interest, a legal obligation, or vital interests where safeguarding is concerned. Consent is only used where no other lawful basis applies.

4.1.2. Use it only for a limited purpose. The second principle is that personal data shall be collected for specified, explicit and legitimate purposes and not processed in a manner incompatible with those purposes. As a member of staff at Long Buckby Junior School, you may be involved in collecting personal data in different ways. This may include data you receive directly from individuals (for example, by completing educational forms) and data you receive from other sources (including, for example, student records and reports from teachers or credit reference agencies for employees). You must not use the data for your own personal purposes. Personal data which you collect in the course of your employment, or provision of services, should be used strictly as part of carrying out your role at/for Long Buckby Junior School and only for the purpose for which it was collected.

- 4.1.3. Data minimisation. The third principle is that personal data shall be adequate, relevant and limited to what is necessary. You should only collect, use, access or analyse personal data to the extent that you need to.
- 4.1.4. Accuracy. The fourth principle is that personal data shall be accurate and, where necessary, up to date. You should check the accuracy of any personal data at the point of collection and at regular intervals afterwards. You should take all reasonable steps to destroy or amend inaccurate or out-of-date data.
- 4.1.5. Data retention. The fifth principle is that personal data shall be kept for no longer than is necessary. Data Protection Legislation does not tell us how long is necessary. We have, therefore, prepared a separate Data Protection Retention Policy to guide you in determining how long to keep certain types of information. Please refer to that policy for further details about how long you should be keeping certain types of personal data and how you should be deleting personal data. It is important that you follow the Personal Data Retention Policy and it should be read in conjunction with this policy.
- 4.1.6. The security (or “ATOM”) principle. The sixth principle is that personal data shall be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful use of personal data and against accidental loss, destruction or damage. Data Protection Legislation says that we must use “appropriate, technical and organisational measures” (try using the acronym “ATOM” to help you remember) to keep data secure. Security of personal data applies to a range of areas, including IT security, and it should be applied throughout your day-to-day activities. You should review Long Buckby Junior School’s IT policies for further details about using IT securely.
- 4.2. There are additional principles that we believe are just as important as those set out above and these are set out below.
- 4.2.1. Respecting the individual’s legal rights.
- Individuals have the following rights under Data Protection Legislation:
 - – Right of access (Subject Access Request)
 - – Right to rectification (correction of inaccurate data)
 - – Right to erasure (in certain circumstances)
 - – Right to restrict processing
 - – Right to object to processing (for example, direct marketing)
 - – Right to data portability (in limited cases).
- 4.2.2. Personal data must not be transferred outside the UK without appropriate safeguards in place. Transfers to the EEA are currently permitted under adequacy arrangements, but transfers outside the UK/EEA require additional safeguards such as standard contractual clauses. If you would like further details about this principle or have any queries, please speak to The Data Protection Team via head@longbuckby-jun.northants-ecl.gov.uk. If you are aware of personal data being transmitted outside of the UK (for example, the school might be using software with servers storing personal data in, say, Japan or the United States), you need to tell the Data Protection Team or your Data Protection Co-ordinator immediately. This might mean having to do some investigation as to how personal data flows in and out of the organisation.
- 4.2.3. Accountability. We will all need to take responsibility for the principles above and be able to demonstrate that we are complying with them. Please make sure that you are in a position to show your Data Protection Co-ordinator how you are complying with this policy and the Personal Data Retention Policy.

5. WHO CAN I SPEAK TO ABOUT DATA PROTECTION ISSUES AT LONG BUCKBY INFANT SCHOOL?

5.1. Long Buckby Junior School's Data Protection Officer

5.1.1. Long Buckby Junior School has appointed a Data Protection Officer ("DPO") who is responsible for overseeing compliance with the Data Protection Legislation and with this policy. That post is held by Jake Wiid, Adviser (head@longbuckby-jun.northants-ecl.gov.uk). Any questions about the operation of this policy or any concerns that the policy has not been followed should be referred in the first instance to the DPO.

5.2. Data Protection Co-ordinators

5.2.1. A school Data Protection Co-ordinator has been designated. Please contact the Data Protection Team via head@longbuckby-jun.northants-ecl.gov.uk if you have any queries or concerns relating to this policy.

6. TAKING OWNERSHIP

6.1. Data Protection Legislation includes a concept called data protection by "design and default". It essentially means that we all have a responsibility to proactively build the principles (set out in paragraphs 4.1 and 4.2 above) into our everyday activities. Don't be afraid to question current or old practices or technology if you think they do not follow good data protection practice and raise any issues or concerns with your Data Protection Co-ordinator.

7. NEW IDEAS?

7.1. You may want to introduce something new and innovative to the School. It could be a new piece of technology or you may be looking to introduce a campaign which involves the use, in some way, of personal data. Or you might want to implement a new piece of software (for example, a learning resources tool or app for parents).

7.2. It is important that, before implementing anything new involving or impacting upon personal data, you speak with your Data Protection Co-ordinator. Under the concept of data protection by design and default (please see paragraph 6), we will need to ensure that we have built good data protection practice into any new idea before implementing the idea. Sometimes, this will require a formal data privacy impact assessment (with which your Data Co-ordinator will provide assistance) where the new idea is potentially high risk to the privacy of parents, children and/or members of staff.

8. DATA BREACHES

8.1. A personal data security breach is any security breach leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data. It could be as a result of a cybercrime. Or It could be that you, or someone you know, have accidentally shared personal data with another organisation or person without permission.

8.2. If you become aware of a personal data security breach you must inform the DPO immediately by making a notification through email, providing as much background detail as possible. This is because Data Protection Legislation requires Long Buckby Junior School to report personal data breaches to the regulator within 72 hours of first becoming aware of it. All staff must report any suspected breach immediately to the DPO via the Data Protection Co-ordinator. Do not investigate or attempt to resolve independently.

Your Data Protection Co-ordinator will assist you with completing the breach notification form which will be sent to the ICO.

9. SHARING INFORMATION WITH OTHER ORGANISATIONS

- 9.1. If you are looking at engaging with any new supplier, and you know that the supplier will be obtaining personal data relating to Long Buckby Junior School pupils, parents and/or guardians, members of staff or other groups of people, you will need to contact your Data Protection Co-ordinator as soon as possible before engaging with that supplier.
- 9.2. Data Protection Legislation requires Long Buckby Junior School to (a) vet these suppliers to ensure that they offer an appropriate level of security of personal data and (b) make sure that there is a written contract between the supplier and Long Buckby Junior School and that it is data protection-compliant before being signed. Your Data Protection Co-ordinator will escalate this as appropriate to the DPO as appropriate.

10. DEALING WITH SUBJECT ACCESS REQUESTS

- 10.1. A subject access request ("SAR") is a written request from an individual to obtain information Long Buckby Junior School holds about them. This is a statutory right, however, it is not without its complications and it doesn't just mean disclosing every piece of information, because there might be legal reasons to withhold certain information. The individual issuing a SAR could be a pupil, parent and/or guardian of the pupil, member of staff or member of the public. Not everyone who requests personal data will be entitled to receive it, therefore, it is important we verify an individual's right to receive personal data, particularly where the personal data is not about themselves.
- 10.2. As there are strict time periods for complying with a SAR (1 calendar month from the date of the SAR), it is important that you immediately notify your Data Protection Co-ordinator who will then assist with the request accordingly and consult the Data Protection Officer and Data Protection Team where necessary. Please do not respond to the individual without first consulting with your Data Protection Co-ordinator.

11. RIGHT TO ERASURE REQUESTS

- 11.1. A right to erasure request is a written request from an individual to erase information Long Buckby Junior School holds about them. Like SARs, this is a statutory right but not as straightforward as you might think, and it doesn't just mean deleting every piece of information about the individual because there might be legal reasons to keep certain information. As with SARs, please make sure that you contact your Data Protection Co-ordinator immediately before responding to the individual making the request. Please do not respond to the individual without first consulting your Data Protection Co-ordinator first.

12. CHANGES TO THIS POLICY

- 12.1. We reserve the right to change this policy at any time. Where the changes are significant, we will make sure that we tell you about them.

13. REVIEW CYCLE

- 13.1. This policy will be reviewed annually. Next review due: September 2026 (and annually thereafter).

SCHEDULE

EXAMPLES OF SPECIAL CATEGORY DATA

EXAMPLES OF PERSONAL DATA Personal Data	Sensitive Personal Data
Name (first name or last name)	Religious expression
Age	Physical or mental condition
Address	Political views and beliefs
Phone number	Racial or ethnic origin
Email address	Criminal record checks
Photograph	Sex life
Location	Sexual orientation
Opinion	Child protection files will most likely contain sensitive personal data
Bank details	Information relating to special education needs will be sensitive personal data
Salary	
Pupil education records	
Letters*	
Contracts*	

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Review Date	<i>September 2026</i>