# Waunfawr Primary School

# Data Protection Policy

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| **Author/s:** | Data Protection Team LA |
| **Consultee/s:** | |
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# Data Protection Policy

## 1. Policy objective

1.1 Administration and delivery of quality services involves processing personal information about people. Waunfawr Primary School is committed to managing personal information effectively and legally to maintain confidence between those with whom we deal and the school.

1.2 This policy describes the school's approach to personal data.

## 2. Scope and definitions

2.1 This policy covers the school's obligations under all legislation applicable in the UK covering data protection, privacy, and references to definitions in the UK General Data Protection Regulation ("UK GDPR") and Data Protection Act 2018.

2.2 'Personal Information' is defined as "any information relating to an identified or identifiable natural person" who can be identified either directly or indirectly from information about that individual [Article 4(1), UK GDPR]. Certain categories of data are subject to additional protections, and includes:

- Racial or ethnic origin
- Religious or other beliefs of a similar nature
- Political opinion
- Physical or mental health or condition
- Genetic data
- Biometric data (where used for identification purposes)
- Sexual life or orientation
- Trade union membership
- Criminal allegations, proceedings, outcomes and sentences

2.3 'Processing' personal data means "any operation or set of operations which is performed on personal data or sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination)"; or otherwise making personal data available when necessary and ensuring the erasure and/or disposal of that information when no longer required [Article 4(2), UK GDPR].

2.4 The policy applies to all employees, volunteers, the governing body and other individuals/organisations acting on behalf of the school who have access to personal data that the school is responsible for.

2.5 Detailed procedures accompany this policy to direct the processing of personal data in a fair, lawful, and transparent manner.

## 3. Data protection principles

3.1 Personal data of all stakeholders (including current, former, and prospective pupils and their families, employees/volunteers, suppliers, and others) will only be processed in compliance with laws on privacy and data protection, specifically adhering to the UK GDPR principles that state personal data must be:

a) processed lawfully, fairly and in a transparent manner ('lawfulness, fairness and transparency');
b) collected for specified, explicit and legitimate purposes ('purpose limitation');
c) adequate, relevant, and limited to what is necessary ('data minimisation');
d) accurate and, where necessary, kept up to date ('accuracy');
e) kept in a form which permits identification of data subjects for no longer than necessary ('storage limitation'); and
f) processed in a manner that ensures appropriate security, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('integrity and confidentiality').

An overarching principle of accountability requires each organisation to demonstrate their compliance with data protection legislation.

3.5 The school will demonstrate accountability in adhering to the rights of individuals set out in data protection law, including their right:

- **to be informed** how personal data is collected, stored, managed, protected, and processed.
- **of access ("subject access")** to request a copy of personal data held about yourself. However, please be aware that information can sometimes be legitimately withheld.
- **to rectification ("right to correction")** of inaccurate or incomplete personal data.
- **to erasure ("right to be forgotten")** where you have the right to have your personal data erased in certain circumstances. This does not include any personal data that must be retained by law.
- **to restriction**, which allows you to limit the way we use your personal data in some circumstances.
- **to portability** gives an individual the right to receive copies of data provided to a controller in a portable format.
- **to object** to the processing of one's personal data; and
- **in relation to automated decision making and profiling** whereby an individual has the right not to be subject to a decision based solely on automated processing (including profiling) that results in legal effects concerning them or significantly affects them.

## 4. Accountability and monitoring

4.1 The Headteacher is the Information Asset Owner for the School, reporting to the Governing Body.

4.2 The school has contracted Caerphilly County Borough Council to provide a Statutory Data Protection Officer (DPO) to advise on management of personal information.

4.3 Data Protection Impact Assessments (DPIAs) will be carried out where a type of processing "is likely to result in a high risk to the rights and freedoms" of individuals [Article 35(1)]. The following must be taken into account:

- "the nature, scope, context and purposes of the processing"; and
- the potential impact of the envisaged processing on the protection of personal data involved.

A DPIA is, therefore, used as a form of risk assessment that helps to identify and minimise the data protection risks of a project.

4.4 A record of personal data processing activities is maintained by the school, and the way that the information is managed is regularly evaluated using Data Protection Impact Assessments where appropriate.

4.5 Clear and timely privacy notices are communicated that enable the subject of the data to understand how their personal data is being used.

4.6 Sharing of personal data is carried out in compliance with approved protocols, including:

- the Wales Accord on Sharing Personal Information (WASPI) framework for regular or one-way data sharing with partner organisations, such as the NHS, the police, or the fire service; and
- Data Processing Agreements with school suppliers to outline the liabilities and responsibilities of both parties entering into a contract.

Waunfawr Primary School may also receive ad hoc requests for information from external agencies, such as the police, Home Office, and Department for Work and Pensions. The school considers these requests and will disclose personal data only where the law allows.

4.7 Disposal of personal data will be strictly in line with the School's Records Retention and Disposal Procedure.

4.8 Everyone processing personal information is aware of their responsibilities and receives appropriate information to support them, including annual training.

## 5. Complaints and data security incidents

5.1 Failure to comply with the law on data protection may result in:

- Serious consequences for individuals that the data relates to, including embarrassment, distress, financial loss
- Irreparable damage to the school's reputation and loss of confidence in the school's ability to manage information properly

- Monetary penalties and compensation claims
- Enforcement action from the Information Commissioner
- Personal accountability for certain criminal offences and for breaching professional codes of conduct.

5.2 Complaints or concerns should be made directly to Waunfawr Primary Schoolin the first instance and will be dealt with in accordance with our Complaints Policy and procedures.

## 6. Related Policies

6.1 This policy should be read in conjunction with the following school policies:

- Records Management Policy
- Access to Unpublished Information Policy
- IT Security Policy

## 7. Further Information

7.1 Waunfawr Primary Schoolmaintain a school archive that acts as a resource to help inspire and equip current staff and pupils to understand and appreciate issues of identity, belonging, and shared heritage. The school archive exists to prompt memories of school-life among many generations living in the local community and beyond. It aims to serve as a research resource for all interested in the history of Waunfawr Primary Schooland the community it serves.

7.2 Further Information is available on the school website or from the Headteacher at WaunfawrPrimary@sch.caerphilly.gov.uk