



# Brentford School for Girls

## Data Protection Policy

<i>Rev</i>	<i>Date</i>	<i>Description</i>
	<i>September 2024</i>	<i>Next review due</i>
5	September 2023	Reviewed
4	September 2022	Reviewed
3	September 2021	Reviewed
2	September 2020	Reviewed
1	September 2019	Initial version

## **Introduction**

Brentford School for Girls needs to keep certain information about its employees, students and other users to allow it to monitor data trends such as performance, achievements and health and safety. To comply with the law, information must be collected and used fairly, stored safely, and not disclosed to any other person unlawfully.

Following Brexit, Regulation (EU) 2016/679, General Data Protection Regulation (GDPR) is retained EU law and known as UK GDPR. The UK GDPR sits alongside an amended version of the Data Protection Act 2018 that relate to general personal data processing, powers of the Information Commissioner and sanctions and enforcement. The UK GDPR as it continues to apply in the EU is known as EU GDPR

Brentford School for Girls must comply with the Data Protection Principles which are set out in the UK General Data Protection Regulations and Data Protection Act 2018.

## **Data protection principles**

GDPR states that personal data shall:

- Be obtained and processed fairly and lawfully and shall not be processed unless certain conditions are met
- Be obtained for a specified and lawful purpose and shall not be processed in any manner incompatible with that purpose
- Be adequate, relevant and not excessive for that purpose
- 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 or territory outside the European Economic Area, unless that country or territory has equivalent levels of protection for the rights and freedoms of data subjects in relation to the processing of personal data
- There is stronger legal protection for more sensitive information such as:
  - Ethnic background
  - Political opinions
  - Religious beliefs
  - Health
  - Sexual health
  - Criminal records

The information collected by the school and details of how it is used can be found on the school's privacy notices on our website <https://www.brentford.hounslow.sch.uk/ourschool/policies>

## **Status of this Policy**

This policy does not form part of the formal contract of employment for staff, and it is a condition of employment that employees and students will abide by the rules and policies made

by the School. Any failures to follow the policy can therefore result in disciplinary proceedings. Staff will however be expected to sign and comply with the E-safety staff agreement form.

### **The Data Controller and the Designation Data Controllers**

The Governing Body is the Data Controller and the Governors are therefore ultimately responsible for implementation. However, the Designated Data Controllers will deal with day-to-day matters.

The School currently has two Designated Data Controllers in school. These are an Assistant Headteacher and the School Business Manager and we employ an external company Judicium to act on our behalf as our DPO.

- DPO (Data Protection Officer) – Mr Craig Stillwell, Judicium consulting Ltd, 72 Cannon Street, London, EC4N 6AE.

Any member of staff, student, applicant or other individual who considers that the Policy has not been followed in respect of personal data about themselves should raise the matter first in school with the appropriate Designated Data Controller, currently in school these are:-

- School Business Manager (Melanie Baldy)
- Assistant Headteacher (Paul May)

If the matter is not sorted out sufficiently internally, then contact should be made with the schools DPO – Craig Stillwell details above

### **Responsibilities of Staff**

**All staff are responsible for:**

- Checking that any information that they provide to the School in connection with their employment is accurate and up to date;
- Informing the School of any changes to information they have provided, e.g. changes of address, either at the time of appointment or subsequently. The School cannot be held responsible for any errors unless the staff member has informed the School of such changes.

If and when, as part of their responsibilities, staff collect information about other people (e.g. about a student's course work, opinions about ability, references to other academic institutions, or details of personal circumstances) they must comply with the guidelines for staff.

### **Student/Parent Obligations**

Students/Parents must ensure that all personal data provided to the School is accurate and up to date. They must ensure that changes of address etc. are notified to the Administration Office Manager.

Students who may from time to time process personal data as part of their studies must notify their teacher/tutor, who should inform the School's Business Manager and must

comply with the guidelines for data collection and security. (This may happen, for example, in Psychology experiments).

### **Data Security**

All staff are responsible for ensuring that:

- Any personal data held is kept securely and in line with the guidelines for staff
- Personal information is not disclosed either orally or in writing or via Web pages or by any other means, accidentally or otherwise, to any unauthorised third party

Unauthorised disclosure by a member of staff will usually be a disciplinary matter, and may be considered gross misconduct in some circumstances.

Personal information should:

- Be kept in a locked filing cabinet, drawer or safe:  
or
- If it is computerised, be coded, encrypted or password protected both on a local hard drive and on a network drive that is regularly backed up:  
and
- If a copy is kept on removable storage media, that media must itself be kept in a locked filing cabinet, drawer, or safe

### **Rights to Access Information**

All staff, students and other users are entitled to:

- Know what information the School holds and processes about them and why.
- Know how to gain access to it
- Know how to keep it up to date
- Know what the School is doing to comply with its obligations under the GDPR regulations
- Be able to retract information that they no longer wish to have stored unless the school has a legal obligation to retain this information

The School, upon request, will provide all staff and students and other relevant users with a statement regarding the personal data held about them that they are required to by law. This will state all the types of data the School holds and processes about them, and the reasons for which they are processed. Requests to check this information will be sought annually to both staff and students. Parents will need to send in written notification via the student's Form Tutor and staff should inform the HR Assistant of any changes to personal data held so that records can be amended.

All staff, students and parents have a right, under legislation, to access certain personal data being kept about them either on computer or in certain files. Any person who wishes to exercise this right should complete the Subject Access Request Form (see Appendix A) and submit to the School Business Manager or the schools DPO – Mr Craig Stillwell, Judicium Consulting Ltd, 72 Cannon Street, London, EC4N 6AE.

The School will not make a charge for photocopy any documentation, unless they consider the request made is not lawful and numerous requests for the same information is being requested and then guidance will be sought to see whether the non-payments term can be waived.

The School will comply with 'requests for 'access' to personal information in line with current legislation.

### **Examination Marks**

Exams scripts themselves are exempted from the subject access rules and copies will not ordinarily be given to a student who makes a subject access request. This does not apply, however, to GCSE and A-Level exam scripts, where the Examinations Officer can make a request for a script to the examination board on a student's behalf, when the student has filled in the "Enquiries About Results" form, and has enclosed the appropriate fee.

### **Subject Consent**

In many cases, the School can only process personal data with the consent of the individual. In some cases, if the data is sensitive, as defined in current regulations, express consent must be obtained. Agreement to the School processing some specified classes of personal data is a condition of acceptance of a student onto any course, and a condition of employment for staff. This includes information about previous criminal convictions.

The School has a duty under the Children Act 1989, current Keeping Children Safe legislation and other enactments to ensure that staff are suitable for the job, and students for the courses offered. The School also has a duty of care to all staff and students and must therefore make sure employees and those who use the School facilities do not pose a threat or danger to other users.

The School may also ask for information about particular health needs, such as allergies and any disabilities and forms of medication taken, or any medical condition such as asthma or diabetes etc. The School will only use this information in the protection of the health and safety of the individual, but will need consent to process this data in the event of a medical emergency.

The application forms that all prospective staff and students are required to complete will include a section requiring consent to process the applicant's personal data. A refusal to sign such a form will prevent the application form being processed.

### **Processing Sensitive Information**

Sometimes, it is necessary to process information about a person's health, criminal convictions, race, and trade union membership. In line with other school policies, such as Sick Pay Policy, Absence Policy or the Equal Opportunities Policy. As this information is considered sensitive under data protection regulations, staff (and students where appropriate) will be asked to give their express consent for the School to process this data. An offer of employment or a course place may be withdrawn if an individual refuses to consent to this without good reason. More information about this is available from the Designated Data Controllers.

### **Publication of School Information**

The names of Senior Leaders and Governors of the School or any other personal data relating to employees or Governors will be published on the annual Calendar and on the public web site when any statute of law requires such data to be made public.

Certain items of information relating to school staff will be made available via searchable directories on the public web site, in order to meet the legitimate needs of parents or interested parties seeking to make contact with appropriate staff.

Individual Departments within the School may make additional staff available on their public web sites. It may also be the case that students enrolled on certain courses may produce web based material containing personal data as part of their course work. E-safety Policy should be referred to for clarity.

### **Retention of Data**

The School has a duty to retain some staff and student personal data for a period of time following their departure from the School, mainly for legal reasons, but also for other purposes such as being able to provide references and academic transcripts, or for financial reasons, for example relating to pensions and taxation. Different categories of data will be retained for different periods of time. The exact details of retention periods and purposes are set out in our Data Retention Policy.

### **Conclusion**

Compliance with the UK GDPR is the responsibility of all members of the School community. Any deliberate breach of the data protection policy may lead to disciplinary action being taken; access to School's facilities being withdrawn, or even to a criminal prosecution. Any questions or concerns about the interpretation or operation of this policy should be taken up with the appropriate Designated Data Controllers.

### **Linked Policies**

Data Retention Policy

Data Breach Policy

Privacy Notice – Staff

Students and Parents

Governors and Volunteers

Recruitment

Visitors and contractors

CCTV policy

IT Acceptable Use Agreement

**Appendix 2**

**Brentford School for Girls**  
**Subject Access Request Form**

**1. Details of the person requesting the information:**

Full name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone No: \_\_\_\_\_

Fax No.: \_\_\_\_\_

Email: \_\_\_\_\_

**2. Are you the Data Subject? Yes**

If you are the data subject please supply evidence of your identity i.e. driving licence, birth certificate or passport and if necessary a stamped addressed envelope for returning the document. Please also state your relationship to Brentford School for Girls.

- |                                         |                          |
|-----------------------------------------|--------------------------|
| I am a current / former member of staff | <input type="checkbox"/> |
| I am a current / former student         | <input type="checkbox"/> |
| I am a current / former parent/carer    | <input type="checkbox"/> |
| I am a current/former school Governor   | <input type="checkbox"/> |
| I am none of the above                  | <input type="checkbox"/> |

Please now go to question 5.

**Are you the Data Subject? No**

Are you acting on behalf of the Data Subject with their written authority? If so, that written authority must be enclosed. Please also state the relationship of the Data Subject at Brentford School for Girls,

- |                                                        |                          |
|--------------------------------------------------------|--------------------------|
| The Data Subject is a current/former member of staff   | <input type="checkbox"/> |
| The Data Subject is a current/former member of student | <input type="checkbox"/> |
| The Data Subject is none of the above                  | <input type="checkbox"/> |

Please now go to question 3 and 4.

**Subject Access Request Form – continued**

**3. Details of the Data Subject (if different from 1)**

Full name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone No: \_\_\_\_\_

Fax No.: \_\_\_\_\_

Email: \_\_\_\_\_

**4. Please describe your relationship with the Data Subject that leads you to make this request for information on their behalf.**

\_\_\_\_\_

\_\_\_\_\_

**5. If you wish to see only certain specific documents(s) for example a particular examination report, a school file etc. please describe these below.**

\_\_\_\_\_

\_\_\_\_\_

**6. If you would like a more general search, please note that the school is able to search the following sections for personal data. Please indicate the sections that you would like searched.**

School student records

School student SEN records

School staff personnel file

**7. Declaration**

I \_\_\_\_\_, certify that the information given on this application form is true. I understand that it is necessary for the School to confirm my/the Data Subject's identity and it may be necessary for more detailed information to be obtained in order to locate the correct information.

Signed: \_\_\_\_\_

Please return the completed form to Designated Data Controller at the school address.