



Data Protection Policy

Policy Date: _____

Signature of Principal: _____

Signature of Chairperson of Board of Governors: _____

Review Date: _____

DATA PROTECTION POLICY

Introduction

Gortin Primary School recognises and accepts its responsibilities as set out in the Data Protection Act 1998 and related legislation. The Board, as a 'data controller', will take all reasonable steps to fulfil its responsibilities and undertakes to promote good practice in the handling and use of personal information.

This policy statement will be applied to all personal information that the Board holds and uses, including for board members, employees and individuals, as well as other partners and companies with which the Board undertakes its business.

Scope

The Board collects and processes various information about people as an integral part of its daily business. This includes personal information in relation to employees, job applicants, pupils, further and higher education students, parents, suppliers and others. In addition, the school may be required by law to collect and use information to comply with the requirements of government departments. Personal information must be dealt with in a controlled manner however it is collected, recorded and used – be it on paper records, in a computer, or other medium. The Data Protection Act 1998 provides for the regulation of the processing of such information relating to individuals, including the obtaining, holding, use or disclosure of the information.

The Board is committed to compliance with the Data Protection Act 1998 and will endeavour at all times to adhere to the principles of data protection.

The following paragraphs provide a brief guide to the Data Protection Act 1998.

Main Provisions of the Act:

(a) Registration with the Data Protection/Information Commissioner.

(Organisations

must register annually and supply certain information to the Commissioner who

maintains a public register containing details of the types of information held, how it

is obtained and the purposes for which the information is used.)

(b) The establishment of Data Protection Principles (see details below).

(c) Provides the data subject with rights to have access to their personal information; what is held, how it is processed, to whom it is disclosed and to be told of the logic behind any automated decisions. Such requests must be complied with within 40 days with a maximum chargeable fee of £10.

Definitions:

Data Controller Any individual or organisation who determines the purposes for which and the manner in which any personal data are, or are to be, processed.

Personal Data: Data which relate to a living individual who can be identified from those data and/or other information which is in the possession of, or is likely to come into the possession of, the data controller.

Sensitive Personal Data: Personal data relating to an individual's racial or ethnic origin, political opinions, religious beliefs, physical or mental health, trade union membership, sexual life and matters relating to criminal offences/proceedings.

Relevant Filing System: A set of records which is organised by reference to an

individual or to criteria relating to individuals in such a way that specific information is readily accessible. This definition covers manual as well as computerised record systems including the use of microfiche, digital audio equipment, closed circuit television (CCTV) etc.

Data Subject: An individual who is the subject of personal data, e.g. employees, pupils, parents etc.

Processing: Obtaining, recording or holding the information or data or carrying out any operation on the data including organising, adapting, altering, retrieving, consulting, using, disclosing, disseminating, aligning, blocking, erasing or destroying such information or data.

The Data Protection Principles

The Principles require that personal information:

(a) shall be processed fairly and lawfully and, in particular, shall not be processed unless certain conditions are met;

(b) shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes;

(c) shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed;

(d) shall be accurate and, where necessary, kept up to date;

(e) processed for any purpose shall not be kept for longer than is necessary for that purpose;

(f) shall be processed in accordance with the rights of data subjects under the Act;

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(g) appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data; and

(h) shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

Commitment

- The Board will, through appropriate management and the application of criteria and controls:
- observe fully the conditions regarding the fair collection and use of personal information;
- meet its legal obligations to specify the purposes for which personal information is used;
- collect and process appropriate information, and only to the extent that such information is needed to fulfil operational needs or to comply with any legal requirements;
- ensure the quality of information used, including its accuracy and relevancy for the purpose(s) specified;
- review regularly the length of time information is held;
- observe the rights of individuals about whom information is held. These legal entitlements include: the right of the data subject to be informed that processing is being undertaken: the right of access to one's personal information; the right to prevent processing in certain circumstances; the right of the data subject to correct, block or erase information which is regarded as erroneous;
- take appropriate technical and organisational security measures to safeguard personal information; and
- ensure that personal information is not transferred abroad without suitable safeguards.

Compliance

The Board will ensure that:

- an officer is nominated with specific responsibility for data protection. Currently the nominated officer for the Board - excluding schools - is the ICT Manager, Computer

Services section. (Schools individually are regarded as ‘data controllers’ and are required to register separately with the Information Commissioner.)

- every officer responsible for managing/processing personal information understands the importance of following best data protection practice;
- every officer responsible for managing/processing personal information will receive appropriate training;
- every officer responsible for managing/processing personal information will be
- appropriately supervised;
- appropriate arrangements are in place to enable data subjects to exercise their rights to access their personal information etc;
- queries regarding personal information will be promptly and courteously dealt with;
- there is a regular review conducted of the way personal information is managed;
- the performance of handling personal information will be regularly assessed and evaluated;
- information on good practice in respect of handling, using and storing personal information will be disseminated to employees.
- a copy of this policy statement, together with operational guidelines, will be made available to all employees.

Complaints Procedure

The Board has a mechanism for handling comments or complaints. If anyone is

dissatisfied with the outcome, or how a request for personal information has been

handled, this procedure should be utilised. A copy of the comments/complaints procedure is available on the Board’s website at www.eani.org or from the Information

Officer at EA Headquarters, 1 Hospital Road, Omagh, Co Tyrone, BT79 OAW.

If anyone should remain dissatisfied with the outcome or the handling of a complaint by the Board they may seek an independent review from the Information Commissioner.

Requests for a review by the Information Commissioner should be made in writing directly to:

The Information Commissioner
Wycliffe House
Water Lane Wilmslow
Cheshire, SK9 5Af.

Monitoring and Evaluating the Policy

Our policy will be reviewed triennially and/or in the light of changes in legislation or practice following consultation with all staff members, parents and external agencies.