

Welton St. Mary's Church of England Primary Academy



Our Vision

As an inclusive Christian community we value each person, seeking to release everyone's full potential as promised by Jesus Christ. We seek to provide a safe, inspiring and creative learning environment providing opportunities for all to flourish. Through challenge, support and care, we strive for excellence in all that we do; always building on the foundations of shared values with consistently high expectations rooted in God's love. Together we are encouraged to be agents of positive change in this world.

'May the God of hope fill you with all joy and peace as you trust in him, so that you may overflow with hope by the power of the Holy Spirit.' Romans 15:13

Together we care, learn and thrive

Data Protection Policy

Approved May 2025

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Introduction

Welton St Mary's Church of England Primary School (the school) has a statutory duty to meet its obligations as set out within data protection legislation as it processes personal data in the delivery of education.

Aim

The aim of this policy is to outline the school's commitment and approach to its obligations as required by current data protection legislation.

Scope

This policy applies to:

- All personal data, regardless of format, processed by the school;
- Any individual processing personal data held by the school.

Definitions

The following definitions shall apply:

Data Protection Legislation means the UK General Data Protection Regulation ("UK GDPR"), the Data Protection Act 2018, the Privacy and Electronic Communications Regulations 2003 and any other applicable law concerning the processing of personal data and privacy.

Data means information which:

- Is processed wholly or partly by automated means,
- Is not processed by automated means and forms part of a relevant filing system i.e. a structured set of data which are accessible by specific criteria,
- Is not processed by automated means and is intended to form part of a filing system.

Personal data means any information, which either directly or indirectly, relates to an identified or identifiable individual. Identifiers include name, address, date of birth, unique identification numbers (such as pupil reference numbers), location data, online identifiers (such as IP addresses), pseudonymised data and information relating to a person's social or economic status.

Data subject means the person who can be identified from the information.

Special Category Data means personal data consisting of information as to:

- The racial or ethnic origin of the data subject,
- Political opinions,
- Religious beliefs or other beliefs of a similar nature,
- Affiliation with a trade union,

- Physical or mental health or condition,
- Biometric and/or genetic data
- Sexual life

Criminal Convictions Data means personal data concerning:

- The commission or alleged commission of any offence, or
- Any proceedings resulting from any offence or alleged offence committed and the resulting action

Processing in relation to information or data, means any operation(s) performed on personal data (whether automated or not) such as collection, use, storage, distribution and destruction.

Controller means a person or organisation who (either alone or jointly or in common with other persons) determines the purposes for which, and the manner in which, any personal data is, or is to be, processed. For the purpose of this policy, the school is a Controller.

Processor, in relation to personal data, means any person or organisation (other than an employee of the school) that processes data on behalf of the Controller.

Artificial Intelligence (AI) refers to any system or application that can perform tasks that normally require human intelligence and includes technologies such as machine learning and robotic automation. Statements provided within this policy are intended to apply to the use of publicly available AI services, such as Bard, ChatGPT, DALL-E and Bing AI.

The Data Protection Principles

The school shall adhere to the six principles of data protection, which are:

Principle 1: Personal data shall be processed fairly and lawfully and in a transparent manner.

Principle 2: Personal data shall be collected for specified, explicit and legitimate purposes and shall not be processed in a manner incompatible with that purpose.

Principle 3: Personal data shall be adequate, relevant and limited to what is necessary for the purpose.

Principle 4: Personal data shall be accurate and, where necessary, kept up to date.

Principle 5: Personal data shall not be kept in a form that permits identification for longer than is necessary.

Principle 6: Personal data shall be processed in a manner that ensures appropriate security.

The school shall ensure that it also complies with the 'accountability principle' which requires that the school has appropriate processes and records in place to demonstrate its compliance with the principles listed above.

School Responsibilities

The school shall ensure that:

- It pays the annual data protection fee to the Information Commissioner's Office. The school's data protection registration number is Z3574008.
- It has staff in post with specific responsibility for ensuring compliance with data protection legislation.
- Staff processing personal data understand that they are responsible for complying with the data protection principles and that processing activities meet a lawful basis for processing (see Appendix A).
- Staff processing data are appropriately trained to do so.
- Staff are provided with appropriate data protection training, support and guidance.

Data Protection Roles and Responsibilities

The following roles are in place to help the school achieve compliance with data protection legislation:

- The **Governing Body** has overall responsibility for ensuring the school operates in a manner compliant with data protection legislation and for ensuring compliance with this policy.
- The **Head Teacher** has day to day responsibility for ensuring individuals are aware of, and apply, this policy.
- The **Senior Leadership Team** have responsibility for supporting the Head Teacher and DPO by ensuring individuals are aware of, and apply, this policy.
- The **Data Protection Officer (DPO)** will support the school in meeting its obligations under data protection legislation by monitoring the school's ongoing compliance, providing advice and assistance on all data protection matters as well as acting as a single point of contact for data protection queries from data subjects and the Information Commissioner's Office.
- All **School Staff** have a responsibility to meet the requirements of this policy. This includes complying with individual policy requirements and undertaking training relevant to their role.

Record of Processing Activity

The school shall maintain a record of its processing activities. The DPO shall be responsible for creating and maintaining the record of processing activity in conjunction with the Governing Body, Head Teacher and Senior Leadership Team.

Privacy Notices

The school shall ensure that appropriate privacy information is made available to pupils, parents, visitors, staff, governors and any other data subject whose data is processed by the school.

Privacy notices will explain in general terms:

- The purpose for which the school will process the data collected;
- Where the information is kept, why it is held and for how long;
- Where the school gets personal data from and whom it is shared with; and
- Contact details of relevant staff to allow requests for further information.

Privacy notices shall be published on the schools website and, upon request, shall be provided in hard copy, free of charge.

Data Protection Impact Assessment (DPIA)

The school shall complete a DPIA at the early stages of any new processing activity where it is identified that high risk processing is present e.g. large scale processing, processing special category data or introducing systematic monitoring into the school environment. The DPO shall be consulted on all DPIAs.

Data security

The school shall ensure it has adequate technical and organisational controls in place which aim to reduce the risk of theft, loss or unlawful processing of personal data. Security policies and procedures shall be made available to all staff.

The school shall record and investigate all potential personal data breaches.

Where it is determined that a breach results in a risk to the rights and freedoms of an individual(s) the school shall report the breach to the Information Commissioner's Office within 72 hours of becoming aware.

Where it is determined that a breach results in a high risk to the rights and freedoms of an individual(s) the school shall inform the individual(s) without undue delay.

Contracts and Information Sharing

Contracts with suppliers that deliver services on behalf of the school which involve the processing of personal data shall include measures to ensure personal data is handled in accordance with data protection legislation.

The school shall ensure that whenever personal data is shared with a third party, it is justified and necessary to meet a lawful basis for processing as set out in Appendix A to this policy.

Where necessary, the school shall ensure that information sharing agreements exist between the school and partner organisations.

The school shall ensure that before personal data is shared with any third party, as required by a contract or otherwise, appropriate security controls are in place.

Individual Rights

The school shall ensure that adequate processes are in place to support individuals to exercise their rights in respect of their personal data (subject to exemptions) and that those processes are clearly communicated to individuals whose data is processed by the school.

The school shall consider complaints regarding how it processes personal data. Complaints shall be referred to the school's complaints procedure in the first instance. Individuals shall be made aware of their right to make a complaint to the Information Commissioner's Office and their ability to seek judicial redress.

Training and Awareness

The school shall provide mandatory annual data protection training to all staff handling personal data. Additional training shall be provided where appropriate.

All staff shall maintain a good awareness of data protection and the requirements of this policy.

Artificial Intelligence (AI)

The school is committed to using AI in a responsible, ethical and lawful manner.

No personal data will be inputted into a publicly available AI service.

Any material generated by an AI service will be checked for accuracy before being used by the school.

Staff must not download publicly available AI services, packages or machine learning models onto school ICT.

Any AI service procured by the school will be subject to a DPIA before being used.

International Transfers

The school shall not transfer personal data outside of the United Kingdom, to third countries or international organisations unless there is a legal requirement to do so or it can be evidenced that appropriate safeguards are in place as required by data protection legislation.

Any systematic sharing of personal data outside of the UK shall be subject to a DPIA.

Information Commissioner's Office

The school shall comply fully with all requests from the Information Commissioner's Office to investigate and/or review the school's data processing activities.

The school shall have regard to advice and guidance produced by the Information Commissioner's Office as far as it relates to the school's data processing activities.

The school shall take into account any code of practice published by the Information Commissioner's Office and shall endeavour to align its own practices accordingly.

Further Information

For further information regarding data protection within the school please contact:

DPO Name Odette Thorner

Job Title Assistant Headteacher

Email enquiries@welton-st-marys.lincs.sch.uk

Phone 01673 860339

Further advice and information is available from the Information Commissioner's Office at www.ico.org.uk.