

# Data Protection Policy

Reviewed and updated 01st September 2021

This document is a statement of the aims and principles of the School, for ensuring the confidentiality of sensitive information relating to staff, pupils, parents and governors.

## Introduction

L'Ecole Bilingue needs to keep certain information about its employees, pupils and other users to allow it to monitor performance, achievements, and health and safety, for example. It is also necessary to process information so that staff can be recruited and paid, courses organised and legal obligations to funding bodies and government complied with.

To comply with the law, information must be collected and used fairly, stored safely and not disclosed to any other person unlawfully. To do this, l'école bilingue must comply with the Data Protection Principles which are set out in the Data Protection Act 1998.

**The Data Protection Act 1998** states that personal data shall:

- Personal data shall be processed fairly and lawfully;
- Personal data shall be obtained only for one or more specified and lawful purposes;
- Personal data shall be adequate, relevant and not excessive;
- Personal data shall be accurate and where necessary, kept up to date;
- Personal data processed for any purpose shall not be kept for longer than is necessary for that purpose or those purposes;
- Personal data shall be processed in accordance with the rights of data subjects under the Data Protection Act 1998;
- Personal data shall be kept secure i.e. protected by an appropriate degree of security;
- Personal data shall not be transferred to a country or territory outside the European Economic Area, unless that country or territory ensures an adequate level of data protection.

The school is committed to maintaining the above principles at all times. Therefore the school will:

- Inform individuals why the information is being collected when it is collected
- Inform individuals when their information is shared, and why and with whom it was shared
- Check the quality and the accuracy of the information it holds
- Ensure that information is not retained for longer than is necessary

- Ensure that when obsolete information is destroyed that it is done so appropriately and securely
- Ensure that clear and robust safeguards are in place to protect personal information from loss, theft and unauthorised disclosure, irrespective of the format in which it is recorded
- Share information with others only when it is legally appropriate to do so
- Set out procedures to ensure compliance with the duty to respond to requests for access to personal information, known as Subject Access Requests
- Ensure our staff are aware of and understand our policies and procedures

### **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 that they have provided, e.g. change 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 set out in the Schools Data Protection Code of Practise.
- Ensuring that any personal data that they hold is kept securely.
- 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.

Staff should note that unauthorised disclosure will usually be a disciplinary matter, and may be considered gross misconduct in some cases.

### **Rights of access to information**

There are two distinct rights of access to information held by schools about pupils.

1. Under the Data Protection Act 1998 any individual has the right to make a request to access the personal information held about them.
2. The right of those entitled to have access to curricular and educational records as defined within the Education Pupil Information (Wales) Regulations 2004.

These procedures relate to subject access requests made under the Data Protection Act 1998.

### **Conclusion**

Compliance with the 1998 Act is the responsibility of all members of the School. Any deliberate breach of the Data Protection Policy may lead to disciplinary action being taken, or even to a criminal prosecution.

Ref: *"The Data Protection Act 1998"*