

# Greenwich House Independent School

## Data Protection Policy

Greenwich House Independent School including the School, Kindergarten and Creche ("Greenwich House") collects and uses personal data about staff, pupils, parents and carers and other individuals who come into contact with Greenwich House. This information is gathered in order to enable it to provide education and other associated functions. In addition, there may be a legal requirement to collect and use information to ensure that Greenwich House complies with its statutory obligations.

Greenwich House is registered (a Data Controller) with the Information Commissioner's Office (ICO) and provides to it details of the types of information it holds and its use. These details are available on the ICO's website. We have a duty to issue a Privacy Notice to all staff, pupils, parents/carers as well as other individuals who come into contact with Greenwich House. This summarises the information held about an individual, explains why it is held and identifies other parties to whom it may be passed on etc.

### **Purpose**

This policy is intended to ensure that personal data is dealt with correctly and securely and in accordance with data protection requirements including under the General Data Protection Regulations (GDPR) and other related legislation. It will apply to information regardless of the way it is collected, used, recorded, stored and destroyed, and irrespective of whether it is held in paper files or electronically.

All staff involved with the collection, processing and disclosure of personal data will be aware of their duties and responsibilities and should adhere to these guidelines.

### **What is Personal Data?**

The ICO provides the following guidance in the context of the GDPR:-

Personal data is "any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier. This definition provides for a wide range of personal identifiers to constitute personal data, including name, identification number, location data or online identifier, reflecting changes in technology and the way organisations collect information about people. The GDPR applies to both automated personal data and to manual filing systems where personal data are accessible according to specific criteria. This could include chronologically ordered sets of manual records containing personal data. Personal data that has been pseudonymised – eg key-coded – can fall within the scope of the GDPR depending on how difficult it is to attribute the pseudonym to a particular

individual.”

Sensitive personal data are “special categories of personal data”. “The special categories specifically include genetic data, and biometric data where processed to uniquely identify an individual.”

“Personal data relating to criminal convictions and offences are not included, but similar extra safeguards apply to its processing”

### **General Data Protection Regulation Principles**

The General Data Protection Principles set out 6 principles that must be adhered to at all times:

1. Personal data shall be processed fairly, lawfully and in a transparent manner;
2. Personal data shall be collected for specified, explicit and legitimate purposes and not further processed for other incompatible purposes;
3. Personal data shall be adequate, relevant and limited to what is necessary in relation to the purposes;
4. Personal data shall be accurate and kept up to date;
5. Personal data shall be kept in a form that permits identification no longer than is necessary;
6. Personal data shall be processed in a way that ensures appropriate security of the personal data

### **General Statement**

The school is committed to maintaining the above principles at all times. (Where relevant reference should be made to the relevant Privacy notice.) 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, and in response to individuals exercising their other individual rights under the GDPR including the Right of access, the Right of rectification and data quality, the Right to restrict processing,

the Right of data portability and the Right to object - please refer to Appendix 1

**Complaints**

Complaints will be dealt with in accordance with Greenwich House's complaints policy. Complaints relating to information handling may be referred to the Information Commissioner (the statutory regulator).

**Review**

This policy will be reviewed as it is deemed appropriate, but no less frequently than every year. The policy review will be undertaken by the Head Teacher, or nominated representative.

**Contacts**

If you have any enquires in relation to this policy, please contact Mrs A Brindle who will also act as the contact point for any subject access requests.

Further advice and information is available from the Information Commissioner's Office, [www.ico.gov.uk](http://www.ico.gov.uk) or telephone 0303 123 1113.

Signed .....  
Mrs A Brindle

Date .....

## **Appendix 1**

### **Greenwich House Independent School, kindergarten and Creche Procedures for responding to subject access requests and the exercises of other rights made under the General Data Protection Regulation and other relevant legislation**

Individuals have the following rights under the GDPR:-

- Right of access to personal data
- Right to rectification of personal data if it inaccurate or incomplete
- Right to erasure including retention and disposal
- Right to restrict processing
- Right to data portability
- Right to object

#### **Procedures**

These procedures relate to exercising the above rights.

Requests exercising any of the above rights can be made verbally or in writing (which includes e-mail) and should be addressed to Mrs A. Brindle. If the initial request does not clearly identify the information required, then further enquiries will be made.

The identity of the requestor must be established before the disclosure of any information and checks should also be carried out regarding proof of relationship to the child. Evidence of identity can be established by requesting production of:

- passport
- driving licence
- utility bills with the current address
- Birth / Marriage certificate
- P45/P60
- Credit Card or Mortgage statement

*This list is not exhaustive.*

Any individual has the right of access to information held about them. However with children, this is dependent upon their capacity to understand and the nature of the request. The Head Teacher should discuss the request with the child and take their views into account when making a decision. A child with competency to understand can refuse to consent to the request for their records. Where the child is not deemed to be competent an individual with parental responsibility or guardian shall make the decision on behalf of the child.

For access to personal data requests, Greenwich House will provide a copy of the requested information free of charge but may make a charge of a

'reasonable fee' based on the administrative cost of providing the information when a request is:-

- is manifestly unfounded or excessive, particularly if it is repetitive, unless you refuse to respond; or
- is for further copies of the same information (that's previously been provided). This does not mean that you can charge for all subsequent access requests.

The response time for requests, once officially received, is usually as soon as possible and within one calendar month of receipt. If the request is judged to be complex or comprises numerous requests, Greenwich House may extend this period by an additional 2 months. In this case, Greenwich House will inform the person requesting the information and provide an explanation in writing of the reasons for the extension of time.

If the request is made electronically the information should be provided in a suitable electronic format.

When one of the rights is exercised ICO guidance will be referred to and, if required, professional advice obtained, to comply with Greenwich House's responsibilities. In some cases Greenwich House's other duties (including those in respect of child protection) may prevent or limit the extent of its response to someone exercising one of the rights. In responding to an exercise of one of the rights Greenwich House may require to communicate with third parties to comply with its duties eg. to obtain consent to provide a response which includes the third party's personal data.

Where redaction (information blacked out/removed) has taken place then a full copy of the information provided should be retained in order to establish, if a complaint is made, what was redacted and why.

Information disclosed should be clear, thus any codes or technical terms will need to be clarified and explained. If information contained within the disclosure is difficult to read or illegible, then it should be retyped.

Information can be provided at the school with a member of staff on hand to help and explain matters if requested, or provided at face to face handover. The views of the applicant should be taken into account when considering the method of delivery. If postal systems have to be used then registered/recorded mail must be used. If the information is requested electronically the information should be provided by a suitable electronic means.

### **Complaints**

Complaints about the above procedures should be made to Mrs J Brindle who will decide whether it is appropriate for the complaint to be dealt with in accordance with the Greenwich House's complaints procedure.

Complaints which are not appropriate to be dealt with through Greenwich House's complaints procedure can be dealt with by the Information

Commissioner. Contact details of both will be provided with the disclosure information.

**Contacts**

If you have any queries or concerns regarding these policies / procedures then please contact Mrs A. Brindle, Head Teacher.

Further advice and information can be obtained from the Information Commissioner's Office, [www.ico.gov.uk](http://www.ico.gov.uk) or telephone

Signed on behalf of the setting by

..... Head Teacher

Date:

Reviewed – September 2020

Reviewed – September 2021