

# Dawley C of E Primary Academy



*'Enriching Learning, Enriching Life'*

John 10:10 '...I have come that they may have life, and have it to the full.'

## **Data Protection Policy & Freedom of Information Policy**

Date: September 2022

Review Date: September 2023

Dawley C of E Primary Academy collects and uses personal information about staff, pupils, parents and other individuals who come into contact with the Academy. 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 the Academy complies with its statutory obligations.

Schools have a duty to be registered, as Data Controllers, with the Information Commissioner's Office (ICO) detailing the information held and its use. These details are then available on the ICO's website. Schools also have a duty to issue a Fair Processing Notice to all pupils/parents, this summarises the information held on pupils, why it is held and the other parties to whom it may be passed on. It is the responsibility of all staff, contractors, etc to comply with this policy.

### **Purpose**

This policy is intended to ensure that personal information is dealt with correctly and securely and in accordance with the Data Protection Act 1998, 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 by adhering to these guidelines.

### **What is Personal Information?**

Personal information or data is defined as data which relates to a living individual who can be identified from that data, or other information held. Access and use of personal information held is only permitted by employees for the purpose of carrying out their duties.

### **Data Protection Principles**

The Data Protection Act 1998 establishes eight enforceable principles that must be adhered to at all times:

1. Personal data shall be processed fairly and lawfully;
2. Personal data shall be obtained only for one or more specified and lawful purposes;
3. Personal data shall be adequate, relevant and not excessive;
4. Personal data shall be accurate and where necessary, kept up to date;
5. Personal data processed for any purpose shall not be kept for longer than is necessary for that purpose or those purposes;
6. Personal data shall be processed in accordance with the rights of data subjects under the Data Protection Act 1998;
7. Personal data shall be kept secure i.e. protected by an appropriate degree of security;
8. 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

## **General Statement**

The Academy is committed to maintaining the above principles at all times.

Therefore the Academy will:

Inform individuals why the information is being collected when it is collected

Data should specify the following:-

- 1) Which organisation they are giving their data to
  - 2) What the information will be used for
  - 3) Who the information may be shared with
  - 4) Anything else that may be relevant i.e. consequences of use
- 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

If information is collected for one purpose it cannot be used for another

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

## **Complaints**

Complaints will be dealt with in accordance with the Academy'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 2 years. The policy review will be undertaken by the Principal, or nominated representative.

## **Contacts**

If you have any enquires in relation to this policy, please contact the Principal, who will also act as the contact point for any subject access requests or if there is a major data loss or information security breach. The Principal will liaise with the Information Commissioner's office if an information security breach needs to be reported.

Further advice and information is available from the Information Commissioner's Office, [www.ico.gov.uk](http://www.ico.gov.uk) or telephone 01625 545745 3

## **Appendix 1**

Dawley C of E Primary Academy

Procedures for responding to subject access requests made under the Data Protection Act 1998

### **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.

### **Actioning a subject access request**

1. Requests for information must be made in writing; which includes email, and be addressed to the Principal. If the initial request does not clearly identify the information required, then further enquiries will be made.
2. 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.*
3. Any individual has the right of access to information held about them. However with children, this is dependent upon their capacity to understand (normally age 12 or above) and the nature of the request. The Principal 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.
4. The Academy may make a charge for the provision of information, dependant upon the following:
  - Should the information requested contain the educational record then the amount charged will be dependant upon the number of pages provided.

Should the information requested be personal information that does not include any information contained within educational records schools can charge up to £10 to provide it.

If the information requested is only the educational record viewing will be free, but a charge not exceeding the cost of copying the information can be made by the Principal.

5. The response time for subject access requests, once officially received, is 40 days (**not working or school days but calendar days, irrespective of school holiday periods**). However the 40 days will not commence until after receipt of fees or clarification of information sought

6. The Data Protection Act 1998 allows exemptions as to the provision of some information; **therefore all information will be reviewed prior to disclosure.**

7. Third party information is that which has been provided by another, such as the Police, Local Authority, Health Care professional or another school. The Academy can withhold third party data. Before disclosing third party information consent should normally be obtained and we would seek advice from Information Governance should this arise.

8. If there are concerns over the disclosure of information then additional advice should be sought.

9. 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. You should not remove (redact) information using a black pen.

10. 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.

11. Information can be provided at the Academy 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.

### **Complaints**

Complaints about the above procedures should be made to the Chairperson of the Local Governing Body who will decide whether it is appropriate for the complaint to be dealt with in accordance with the Academy's complaint procedure.

Complaints which are not appropriate to be dealt with through the Academy's complaint procedure can be dealt with by the Information Commissioner. Contact details of both will be provided with the disclosure information.

**Appeals**

Any appeals should be in writing to the Chair of the governing body of the Academy within 90 days of the response. The Chair will action the appeal and respond to it within 20 days (40 days for a complicated request). If the complainant is unsatisfied with the outcome of the appeal then they should contact the ICO.

**Contacts**

If you have any queries or concerns regarding these policies / procedures then please contact the Principal.

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

# **This is Dawley C of E Primary Academy Publication Scheme on information available under the Freedom of Information Act 2000**

*The governing body is responsible for maintenance of this scheme.*

## **1. Introduction: what a publication scheme is and why it has been developed**

One of the aims of the Freedom of Information Act 2000 (which is referred to as FOIA in the rest of this document) is that public authorities, including all maintained schools, should be clear and proactive about the information they will make public.

To do this we must produce a publication scheme, setting out:

- *The classes of information which we publish or intend to publish;*
- *The manner in which the information will be published; and*
- *Whether the information is available free of charge or on payment.*

The scheme covers information already published and information which is to be published in the future. All information in our publication scheme is available in paper form.

Some information which we hold may not be made public, for example personal information.

This publication scheme conforms to the model scheme for schools approved by the Information Commissioner.

## **2. Aims and Objectives**

The Academy aims to:

**Promote the learning of children, as well as the learning of the adults, who make up our Academy community, so that we recognise the roles and responsibilities we fulfil in society now and in the future.**

We endeavour to do this through

creating a welcoming atmosphere in the Academy where children, staff, parents and visitors feel valued;

recognising and valuing the role of parents as primary carers;

using the children's experiences at home and in the community as a starting point for promoting high standards in the core and foundation subjects of the National Curriculum;

promoting equal opportunities that pays due regard to gender, special needs, cultural and ethnic backgrounds of the children and their families;

promoting children's self esteem, their rights and responsibilities;

The management of the resources both human and material that maximises strengths and promotes team building.

and this publication scheme is a means of showing how we are pursuing these aims.

### **3. Categories of information published**

The publication scheme guides you to information which we currently publish (or have recently published) or which we will publish in the future. This is split into categories of information known as 'classes'. These are contained in section 6 of this scheme.

The classes of information that we undertake to make available are organised into four broad topic areas:

*Academy Website* – information published on the website.

*Governors' Documents* – information published in governing body documents.

*Pupils & Curriculum* – information about policies that relate to pupils and the Academy curriculum.

*Academy Policies and other information related to the Academy* - information about policies that relate to the Academy in general.

### **4. How to request information**

Requests for information should be made in writing (or e-mail). The request must include the name of the person requesting the information, an address for correspondence and a description of the information sought.

If you require a paper version of any of the documents within the scheme, please contact the school by writing or email. Contact details are set out below.

**School Email: [a3317@telford.gov.uk](mailto:a3317@telford.gov.uk)**

**Tel: 01952 386280**

**Contact Address: Dawley C of E Primary Academy  
Doseley Rd North  
Dawley  
Telford TF4 3AL**

To help us process your request quickly, please clearly mark any correspondence **"PUBLICATION SCHEME REQUEST"** (in CAPITALS please)

If the information you're looking for isn't available via the scheme you can still contact the Academy to ask if we have it.

Documents can be produced in different formats upon request.



Timescales for response are 20 working days from date of receipt at the Academy. Possible need for clarification of information requested does not count towards the response timescale.

If we believe that the request might involve political or contentious issues then the Academy will contact the IG team at Telford & Wrekin Council to seek advice. We may need to request the permission of 3<sup>rd</sup> parties to release information and we need to remove information not pertaining to the recipient (redacting). If we do not hold the information requested we will notify the person requesting the information as soon as possible.

A record of all requests and responses will be maintained. We will retain these records for a minimum of 90 days to allow for appeal (records will be kept for longer if an appeal is actioned).

## 5. Paying for information

Single copies of information covered by this publication are provided free unless stated otherwise in section 6. If your request means that we have to do a lot of photocopying or printing, or pay a large postage charge, or is for a priced item such as some printed publications or videos we will let you know the cost before fulfilling your request. Where there is a charge this will be indicated by a £ sign in the description box.

## 6. Classes of Information Currently Published

**Academy Website** – this section sets out information published on the school website

Class	Description
<b>School Website</b>	<ul style="list-style-type: none"> <li>• the name, address and telephone number of the Academy, and the type of Academy and person to whom enquiries should be addressed.</li> <li>• Academy's pupil premium</li> <li>• the names of the Principal and chair of governors</li> <li>• information on the Academy policy on admissions</li> <li>• a statement of the Academy's ethos and values</li> <li>• information about the Academy's policy on providing for pupils with special educational needs</li> <li>• curriculum information</li> <li>• Academy policies behaviour, charging &amp; SEN and disability</li> <li>• the arrangements for visits to the Academy by prospective parent</li> <li>• link to ofsted</li> </ul>

<b>Instrument of Government</b>	<ul style="list-style-type: none"> <li>• The name of the school</li> <li>• The category of the school</li> <li>• The name of the governing body</li> <li>• The manner in which the governing body is constituted</li> <li>• The term of office of each category of governor if less than 4 years</li> <li>• The name of any body entitled to appoint any category of governor</li> <li>• Details of any trust</li> <li>• If the school has a religious character, a description of the ethos</li> </ul>
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	<ul style="list-style-type: none"> <li>• The date the instrument takes effect</li> </ul>
<b>Minutes 1 of meeting of the governing body and its committees</b>	Agreed minutes of meetings of the governing body and its committees <i>[current and last full academic school year]</i>

**Pupils & Curriculum Policies** - This section gives access to information about policies that relate to pupils and the school curriculum.

<b>Class</b>	<b>Description</b>
Home – school agreement	Statement of the School/Academy's aims and values, the School's/Academy's responsibilities, the parental responsibilities and the School's/Academy's expectations of its pupils for example homework arrangements
Curriculum Policy	Statement on following the policy for the secular curriculum subjects and religious education and schemes of work and syllabuses currently used by the School/Academy
Sex Education Policy	Statement of policy with regard to sex and relationship education
Special Education Needs Policy	Information about the School's/Academy's policy on providing for pupils with special educational needs
Accessibility Plans	Plan for increasing participation of disabled pupils in the School's/Academy's curriculum, improving the accessibility of the physical environment and improving delivery of information to disabled pupils.
Race Equality Policy	Statement of policy for promoting race equality
Collective Worship	Statement of arrangements for the required daily act of collective worship
Child Protection Policy	Statement of policy for safeguarding and promoting welfare of pupils at the School/Academy. <i>(from March 2004)</i>
Pupil Discipline	Statement of general principles on behaviour and discipline and of measures taken by the Head Teacher/Principal to prevent bullying.

**Academy Policies and other information related to the Academy** - This section gives access to information about policies that relate to the Academy in general.

<b>Class</b>	<b>Description</b>
Published reports of Ofsted referring expressly to the school	Published report of the last inspection of the Academy and the summary of the report and where appropriate inspection reports of religious education in those schools/Academy's designated as having a religious character

Post-Ofsted inspection action plan	A plan setting out the actions required following the last Ofsted inspection and where appropriate an action plan following inspection of religious education where the Academy is designated as having a religious character
Charging and Remissions Policies	A statement of the Academy's policy with respect to charges and remissions for any optional extra or board and lodging for which charges are permitted, for example Academy publications, music tuition, trips
School session times and term dates	Details of Academy session and dates of Academy's terms and holidays
Health and Safety Policy and risk assessment	Statement of general policy with respect to health and safety at work of employees (and others) and the organisation and arrangements for carrying out the policy
Complaints Procedure	Statement of procedures for dealing with complaints
Performance Management of Staff	Statement of procedures adopted by the governing body relating to the performance management of staff and the annual report of the Principal on the effectiveness of appraisal procedures
Staff Conduct, Discipline and Grievance	Statement of procedure for regulating conduct and discipline of Academy staff and procedures by which staff may seek redress for grievance
Curriculum circulars and statutory instruments	Any statutory instruments, departmental circulars and administrative memoranda sent by the Department of Education and Skills to the Principal or governing body relating to the curriculum
Annex A - Other Documents	Annex A provides a list of other documents that are held by the Academy and are available on request

1 Some information might be confidential or otherwise exempt from the publication by law – we cannot therefore publish this

## 7. Feedback and Complaints

We welcome any comments or suggestions you may have about the scheme. If you want to make any comments about this publication scheme or if you require further assistance or wish to make a complaint then initially this should be addressed to the Principal.

If you are not satisfied with the assistance that you get or if we have not been able to resolve your complaint and you feel that a formal complaint needs to be made then this should be addressed to The Chair of Governors, c/o Dawley C of E Primary Academy, Doseley Rd North, Dawley, Telford, TF4 3AL.

Any further complaint should be made to the Information Commissioner's Office. This is the organisation that ensures compliance with the Freedom of Information Act 2000 and that deals with formal complaints. They can be contacted at:

***Information Commissioner, Wycliffe House, Water Lane,  
Wilmslow, Cheshire, SK9 5AF***

*or*

**Enquiry/Information Line: 01625 545 700**

**E Mail: [publications@ic-foi.demon.co.uk](mailto:publications@ic-foi.demon.co.uk). Website**

**: [www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)**