



## **JFS School**

The Mall Kenton Harrow Middlesex HA3 9TE

*Reviewed in the Spring Term 2016*

*Next due for review in the Spring Term 2017, subject to intervening legislative changes*

### **DATA PROTECTION POLICY**

JFS believes that protecting the privacy of our staff and students and regulating their safety through data management, control, and evaluation is vital to whole-school and individual progress. The School collects personal data from students, parents, and staff and processes it in order to support teaching and learning, monitor and report on student and teacher progress, and strengthen our pastoral provision.

We take responsibility for ensuring that any data that we collect and process is used correctly and only as is necessary, and the school will keep parents fully informed of the how data is collected, what is collected, and how it is used. Examination and assessment results, attendance and registration records, special educational needs data, and any relevant medical information are examples of the type of data that the school needs. Through effective data management we can monitor a range of school provisions and evaluate the wellbeing and academic progression of our school body to ensure that we are doing all that we can to support both staff and students.

#### **1. Our promise**

In line with the Data Protection Act 1998, and following principles of good practice when processing data, the School will:

- ensure that data is fairly and lawfully processed;
- process data only for limited purposes;
- ensure that all data processed is adequate, relevant and not excessive;
- ensure that data processed is accurate;
- not keep data longer than is necessary;
- process the data in accordance with the data subject's rights;
- ensure that data is secure;
- ensure that data is not transferred to other countries without adequate protection.

There may be circumstances where the School is required, either by law or in the best interests of our students or staff, to pass information onto external authorities, for example our local authority, OFSTED, or the Department of Health. These authorities are up to date with data protection law and have their own policies relating to the protection of any data that they receive or collect.

Under no circumstances will the School disclose information or data:

- that would cause serious harm to the physical or mental health of a child or anyone else;
- indicating that the child is or has been subject to child abuse or may be at risk of it, where the disclosure would not be in the best interests of the child;
- recorded by the student in an examination;
- that would allow another person to be identified or identifies another person as the source, unless the person is an employee of the School or local authority or has given consent, or it is reasonable in the

circumstances to disclose the information without consent. The exemption from disclosure does not apply if the information can be edited so that the person's name or identifying details are removed;

- in the form of a reference given to another school or any other place of education and training, the child's potential employer, or any national body concerned with student admissions.

## **2. Requesting data**

Students have a right under the Data Protection Act to request information that the school has collected about them by any data controller.

### **Educational record**

A student can request, in writing, to see their educational record, and the school will comply within 40 calendar days. This record may include:

- a statement of special educational needs
- their personal education plan (PEP) – the document provided by social care to the school if a child is looked-after
- a record of information kept by the school, for example relating to behaviour or family background, which:
  - is processed by or on behalf of the governing body or a teacher at any maintained or special school;
  - relates to a past or present student;
  - originates from any employee at the LA that maintains the school, or is supplied by or on behalf of them;
  - originates from any teacher or other employee at the student's school or former school (in the case of a voluntary aided, foundation or foundation special school or a special school not maintained by a LA), or is supplied by or on behalf of them;
  - originates from the student to whom the record relates or the student's parent, or is supplied by or on behalf of them.

A parent or carer can request to see their child's educational record, or request it on behalf of their child, in writing. The information will be presented within 15 days of the request. If there is a cost of retrieving the information, for example if a copy must be made, the governing body may charge the parent amount that it will cost but no more. Other than this, there will be no charge for the information requested.

### **Biometric Data**

The School will not collect or process the biometric data of any student without parental consent. This includes fingerprint identification and also covers iris and retina scanning, and face-recognition. If the School wishes to collect this information, parents will be contacted for consent. This request for consent will include a full explanation about the type of biometric information that will be taken and how it will be used, as well as an explanation of the parents' and student's right to refuse or withdraw their consent.

### **Staff**

We are legally obliged to protect certain information on our staff, who have a right to see records of their personal information. Staff who wish to access this information can make a subject access request under the Data Protection Act 1998. Disclosure of these records will be made once third party information has been removed in accordance with the Data Protection Act 1998.

## **3. Access to data and disclosure**

### **Third parties**

Personal data about students will not be disclosed to third parties without the consent of the child's parent or carer, unless it is obliged by law or in the best interest of the child. Data may be disclosed to the following third parties without consent: