



OLD BUCKENHAM HALL

Brettenham Park
Ipswich, Suffolk, IP7 7PH
Website: www.obh.co.uk

Data Protection Policy



OLD BUCKENHAM HALL

Data Protection Policy

The School is registered under the Data Protection Act 1998 (the “DPA”).

General Statement of the School’s Duties

The School is required to process relevant personal data regarding workers as part of its operation and shall take all reasonable steps to do so in accordance with this policy.

Data Protection Controller

The School has appointed Anne-marie Shropshire (Business Manager) as the Data Protection Officer (the “DPO”) who will endeavour to ensure that all personal data is processed in compliance with this Policy and the Principles of the DPA.

The Principles

The School will so far as is reasonably practicable comply with the Data Protection Principles (the ‘Principles’) contained in the DPA to ensure all data is-

- Fairly and lawfully processed
- Processed for a lawful purpose
- Adequate, relevant and not excessive
- Accurate and up to date
- Not kept for longer than necessary
- Processed in accordance with the data subject's rights
- Secure
- Not transferred to other countries without adequate protection

Personal Data

Personal data covers both facts and opinions about an individual. The School may process a wide range of personal data on pupils and their parents or guardians as part of its operation. This personal data may include (but is not limited to); names and addresses, bank details, academic, disciplinary, admissions and attendance records, references, examination scripts and marks.

Processing of Personal Data

Consent may be required for the processing of personal data unless the processing is necessary for the School to undertake its obligations to pupils and their parents or guardians. Any information which falls under the definition of personal data, and is not otherwise exempt, will remain confidential and will only be disclosed to third parties with the consent of the appropriate individual or under the terms of this Policy.

Sensitive Personal Data

The School may, from time to time, be required to process sensitive personal data regarding a pupil, their parents or guardians. Sensitive personal data includes Sensitive personal data includes information and data relating to racial or ethnic origin, political opinions, religious beliefs or other beliefs of a similar nature, membership of a trade union, physical or mental health or condition, sexual life, commission or alleged commission of any offence or any related proceedings.

Where sensitive personal data is processed by the school, the explicit consent of the appropriate individual will generally be required in writing.

Rights of Access

Individuals have a right of access to personal information about them which is held by the School. Any individual wishing to access their personal data should put their request in writing to the DPC. The School will endeavour to respond to any such written request as soon as is reasonably practicable and in any event, within 40 days.

Please note that the School may charge an administration fee of up to £10.00 for providing this information.

You should be aware that certain data is exempt from the right of access under the Data Protection Act; this may include information which identifies other individuals, information which the School reasonably believes is likely to cause damage or distress, or information which is subject to legal professional privilege. The School is also not required to disclose any pupil examination scripts.

The School will also treat as confidential any reference given by the School for the purpose of the education, training or employment, or prospective education, training or employment of any pupil or member of staff. The School acknowledges that an individual may have the right to access a reference relating to them received by the School. However, such a reference will only be disclosed if such disclosure will not identify the source of the reference where, notwithstanding this, the referee has given their consent or if the disclosure is reasonable in the circumstances.

Whose Rights

The rights under the Data Protection Act are the individuals' to whom the data relates. The School will however in most cases rely on parental consent to process

data relating to pupils unless, given the nature of the processing in question and the pupil's age and understanding it is unreasonable in all the circumstances to rely on the parent's consent.

The school will grant the pupil direct access to their personal data if in the school's reasonable belief the pupil understands the nature of the request. As a general guide, a child age 12 or older is expected to be mature enough to understand the request they are making. A child may however be mature enough at an earlier age, or may lack sufficient maturity until a later age and all requests will be considered on a case by case basis. Pupils agree that the school may disclose their personal data to their parents or guardian.

Where a pupil raises a concern confidentially with a member of staff and expressly withholds their agreement to their personal data being disclosed to their parents or guardian, the school will maintain confidentiality unless it has reasonable grounds to believe that the pupil does not fully understand the consequences of withholding their consent, or where the school believes disclosure will be in the best interests of the pupil or other pupils.

Exemptions

There are situations where access to information may be withheld by the school:

a) The Data Protection Act contains a number of exemptions when information may be withheld, these include:

- information which might cause serious harm to the physical or mental health of the pupil or another individual;
- cases where the disclosure would reveal a child is at risk of abuse;
- information contained in adoption and parental order records;
- information given to a court in proceedings under the Magistrates' Courts (Children and Young persons) Rules 1992;
- copies of examination scripts; and
- providing examination marks before they are officially announced.

b) Unstructured personal information.

The school will generally not be required to provide access to information held mutually and in an unstructured way.

Disclosure of Information

The School may receive requests from third parties to disclose personal data it holds about pupils, their parents or guardians. The School confirms that it will not generally disclose information unless the individual has given their consent or one of the specific exemptions under the Data Protection Act applies. However the School does

intend to disclose such data as is necessary to third parties for the following purposes:

- To give a confidential reference relating to a pupil to any educational institution which it is proposed that the pupil may attend.
- To give information relating to outstanding fees or payment history to any educational institution which it is proposed that the pupil may attend.
- To publish the results of public examinations or other achievements of pupils of the School.
- To disclose details of a pupil's medical condition where it is in the pupil's interests to do so, for example for medical advice, insurance purposes or to organisers of school trips.

Where the School receives a disclosure request from a third party it will take reasonable steps to verify the identity of the third party before making any disclosure.

Use of Personal Information by The School

The School will, from time to time, make use of personal data relating to pupils, their parents or guardians and employees as set out in the Data Fair Processing Notice (Appendices A & B):

Should an individual wish to limit or object to any such use they are to notify the DPO in writing.

- To make use of photographic images of pupils in school publications and on the school website.
- For fundraising, marketing or promotional purposes and to maintain relationships with pupils of the school, including transferring information to any association, society or club set up for the purpose of establishing or maintaining contact with pupils, or for development, fundraising, marketing or promotional purposes.

Accuracy

The School will endeavour to ensure that all personal data held in relation to an individual is accurate. Individuals must notify the DPO of any changes to information held about them. An individual has the right to request that inaccurate information about them is erased or corrected.

Security

The School will take reasonable steps to ensure that members of staff will only have access to personal data relating to pupils, their parents or guardians where it is necessary for them to do so. All staff will be made aware of this policy and their duties under the Data Protection Act. The School will ensure that all personal information is held securely and is not accessible to unauthorised persons. Where it is permitted to take data offsite, it will need to be encrypted.

Enforcement

If an individual believes that the School has not complied with this Policy or acted otherwise than in accordance with the Data Protection Act, they should utilise the Complaints Policy or for employees, the Grievance Procedure and also, notify the DPO.

Monitoring and Review

This policy will be monitored by the school DPO and the Headmaster and will be reviewed annually by the School DPC or at any time when changes to other policies or legislation may affect this policy.

Anne-marie Shropshire
Business Manager

~~November 2011~~
Reviewed December 2012
Reviewed Sept 2013

**DATA PROTECTION NOTICE FOR PUPILS, PARENTS AND GUARDIANS
2012/2013**

For the purposes of the Data Protection Act 1998 ("the DPA"), Old Buckenham Hall ("the School") is the "data controller" of personal data about pupils and their parents and/or guardians ("your personal data").

Personal data processed by the School

Personal data processed by the School includes contact details, national curriculum and other assessment results, attendance information, special educational needs, and images of pupils engaging in School activities (and in relation to parents and/or guardians, may include financial information). The School may also process sensitive personal data such as ethnic group, religious beliefs and relevant medical information. Your personal data will usually be collected directly from you, but some may be passed to the School by third parties.

Purposes for which your data may be processed

Your personal data (including sensitive personal data, where appropriate) is processed by the School strictly in accordance with the Data Protection Act in order to:

- support its pupils' teaching and learning;
- monitor and report on their progress;
- provide appropriate pastoral care;
- assess how well the School as a whole is doing;
- communicate with former pupils;
- where appropriate, promote the School to prospective pupils (including through the School's prospectus and website); and
- other reasonable purposes relating to the operation of the School.

Your right to access your personal data

Pupils and their parents and/or guardians, as data subjects, have certain rights under the Data Protection Act, including a general right to be given access to personal data held about them by any data controller. The presumption is that by the age of 12 a child has sufficient maturity to understand his/her rights and to make an access request themselves if he/she wishes. A parent would normally be expected to make a request on a child's behalf if the child is younger. If you wish to access your personal data, or that of your child or a pupil for whom you have parental responsibility, then please contact the School in writing.

Third parties with whom the School may need to share your personal data

From time to time the School may pass your personal data (including sensitive personal data where appropriate) to third parties, including local authorities, other public authorities, independent school bodies such as the Independent Schools Inspectorate and the Independent Schools Council, health professionals and the School's professional advisers, who will process the data:

- to enable the relevant authorities to monitor the School's performance;
- to compile statistical information (normally used on an anonymous basis);
- to secure funding for the School (and where relevant, on behalf of individual pupils);
- to safeguard pupils' welfare and provide appropriate pastoral (and where relevant, medical and dental) care for pupils;
- to produce a parent contact list, only including details of those for whom consent has been received, for circulation to parents or guardians;
- where necessary in connection with learning and extra-curricular activities undertaken by pupils;
- to enable pupils to take part in national and other assessments and to monitor pupils' progress and educational needs;
- to obtain appropriate professional advice and insurance for the School;
- where a reference or other information about a pupil or ex-pupil is requested by another educational establishment or employer to whom they have applied;
- and otherwise where reasonably necessary for the operation of the School.

All these are data controllers in respect of the personal data they receive, and must themselves comply with the Data Protection Act 1998. Further details of anticipated potential third party recipients are available from the School on request.

Further questions

If you have any queries about this Notice or how personal data is processed by the School, please contact Mrs Anne-marie Shropshire (Business Manager) on 01449 744798 or a.shropshire@obh.co.uk .

DATA PROTECTION NOTICE FOR EMPLOYEES

2012/2013

For the purposes of the Data Protection Act 1998 ("the DPA"), Old Buckenham Hall ("the School") is the "data controller" of personal data about pupils and their parents and/or guardians ("your personal data").

Personal data processed by the School

Personal data processed by the School includes contact details, national insurance numbers, financial information and other information necessary for employment. It may also include images of staff engaging in School activities.

The School may, from time to time, be required to process sensitive personal data regarding a employees. Sensitive personal data includes medical information and data relating to religion, race, trade union membership and criminal records and proceedings. Where sensitive personal data is processed by the School, the explicit consent of the employees will generally be required in writing. Your personal data will usually be collected directly from you, but some may be passed to the School by third parties.

Purposes for which your data may be processed

Your personal data (including sensitive personal data, where appropriate) is processed by the School strictly in accordance with the Data Protection Act in order to:

- Comply with legislation with regard to employment;
- Comply with the requirements of the DfE;
- provide appropriate support ;
- monitoring equality and diversity;
- where appropriate, promote the School to prospective pupils (including through the School's prospectus and website); and
- other reasonable purposes relating to the operation of the School.

Your right to access your personal data

Employees have the right of access to information held by the School, subject to the provisions of the Data Protection Act 1998. Any employees wishing to access their personal data should put their request in writing to the DPC. The School will endeavour to respond to any such written requests as soon as is reasonably practicable and in any event, within 40 days for access to records and 21 days to provide a reply to an access to information request. The information will be imparted to the employees as soon as is reasonably possible after it has come to the School's attention.

Third parties with whom the School may need to share your personal data

From time to time the School may pass your personal data (including sensitive personal data where appropriate) to third parties, including local authorities, other public authorities, independent school bodies such as the Independent Schools Inspectorate and the Independent Schools Council, health professionals and the School's professional advisers, who will process the data:

- to enable the relevant authorities to monitor the School's performance;
- to compile statistical information (normally used on an anonymous basis);
- to secure funding for the School (and where relevant, on behalf of individual pupils);
- to produce a contact list, only including details of those for whom consent has been received, for circulation to other members of staff;
- to obtain appropriate professional advice and insurance for the School;
- where a reference or other information about an employee is requested by another educational establishment or employer to whom they have applied;
- and otherwise where reasonably necessary for the operation of the School.

All these are data controllers in respect of the personal data they receive, and must themselves comply with the Data Protection Act 1998. Further details of anticipated potential third party recipients are available from the School on request.

Exemptions

Certain data is exempted from the provisions of the Data Protection Act which includes the following:-

- The prevention or detection of crime;
- The assessment of any tax or duty;
- Where the processing is necessary to exercise a right or obligation conferred or imposed by law upon the School.

The above are examples only of some of the exemptions under the Act. Any further information on exemptions should be sought from the DPC.

Further questions - If you have any queries about this notice or how personal data is processed by the School, please contact Mrs Anne-marie Shropshire (Business Manager) on 01449 744798 or a.shropshire@obh.co.uk .

