

Data Protection Policy

Status	Statutory
Authority	Delegated to Headteacher
Version	1
Policy Owner	Jo Franklin, Headteacher
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1. Introduction

City Academy Norwich collects and uses personal information about staff, pupils, parents and other individuals who come into contact with the school. This information is gathered in order to enable it to provide education and other associated purposes. How we use this information is contained in our School Privacy Statement <https://canorwich.org/privacy-policy-2>

The School is a Data Controller. A Data Controller is defined as 'A person or organisation that determines the purposes and the means of processing of personal data'. The school is registered as a Data Controller with the ICO under the overall Sapientia Education Trust (SET) ICO registration (ZA209590).

2. Data Protection Officer

The Trust's Data Protection Officer (DPO) is contactable via Schools' Choice Data Protection Service data.protection@schoolschoice.org. Data Protection Service Lead, Schools' Choice, Endeavour House, 8 Russell Road, Ipswich, IP1 2BX. Tel: 01473 260741

The DPO is responsible for overseeing the implementation of this policy, monitoring our compliance with data protection law, and developing related policies and guidelines where applicable.

They will provide an annual report of their activities directly to the SET Board and, where relevant, report to the board their advice and recommendations on school data protection issues.

3. Data Protection Principles

The General Data Protection Regulation (GDPR) is based on data protection principles that City Academy Norwich must comply with. The principles say that personal data must be:

- Processed lawfully, fairly and in a transparent manner.
- Collected for specified, explicit and legitimate purposes.
- Adequate, relevant, and limited to what is necessary to fulfil the purposes for which it is processed.
- Accurate and, where necessary, kept up to date.
- Kept for no longer than is necessary for the purposes for which it is processed.
- Processed in a way that ensures it is appropriately secure.

This policy sets out how the school aims to comply with these principles.

4. Collecting personal data

4.1 Lawfulness, fairness, and transparency

The terms under which City Academy Norwich processes data is laid out in the school Privacy Notice which is displayed on our website <https://canorwich.org/privacy-policy-2>

4.2 Limitation, minimisation and accuracy

City Academy Norwich will only collect personal data for specified, explicit and legitimate reasons. We will explain these reasons to the individuals when we first collect their data.

If we want to use personal data for reasons other than those given when we first obtained it, we will inform the individuals concerned before we do so, and seek consent where necessary.

5. Subject access requests and other rights of individuals

5.1 Subject access requests

Individuals have a right to make a 'subject access request' to gain access to personal information that City Academy Norwich holds about them. This includes:

- Confirmation that their personal data is being processed.
- Access to a copy of the data
- The purposes of the data processing
- The categories of personal data concerned
- Who the data has been, or will be, shared with
- How long the data will be stored for, or if this isn't possible, the criteria used to determine this period
- The source of the data, if not the individual
- Whether any automated decision-making is being applied to their data, and what the significance and consequences of this might be for the individual.

Subject access requests must be submitted in writing, either by letter or email to the Headteacher in the format at Annex A.

5.2 Children and subject access requests

Personal data about a child belongs to that child, and not the child's parents or carers. For a parent or carer to make a subject access request with respect to their child, the child must either be unable to understand their rights and the implications of a subject access request or have given their consent.

Primary schools:

Children under the age of 12 are generally not regarded to be mature enough to understand their rights and the implications of a subject access request. Therefore, most subject access requests from parents or carers of pupils may be granted without the express permission of the pupil. This is not a rule and a pupil's ability to understand their rights will always be judged on a case-by-case basis.

5.3 Other data protection rights of the individual

In addition to the right to make a subject access request (see above), and to receive information when the school are collects their data about how they use and process it, individuals also have the right to:

- Withdraw their consent to processing at any time
- Ask to rectify, erase, or restrict processing of their personal data, or object to the processing of it (in certain circumstances)
- Prevent use of their personal data for direct marketing
- Challenge processing which has been justified on the basis of public interest
- Request a copy of agreements under which their personal data is transferred outside of the European Economic Area
- Object to decisions based solely on automated decision making or profiling (decisions taken with no human involvement, that might negatively affect them)
- Prevent processing that is likely to cause damage or distress.
- Be notified of a data breach in certain circumstances.
- Make a complaint to the ICO.
- Ask for their personal data to be transferred to a third party in a structured, commonly used, and machine-readable format (in certain circumstances)

Individuals should submit any request to the Headteacher.

6. Parental requests to see the educational record

Parents who may wish to see the educational record of their child are to contact the Headteacher in the first instance.

7. Photographs and videos

As part of our school activities, we may take photographs and record images of individuals within their school. In order to use pupil images, we seek permission from parents that make clear what such images may be used for via a parental permission form.

Consent can be refused or withdrawn at any time. If consent is withdrawn, we will delete the photograph or video and not distribute it further.

When using photographs and videos in this way we will not accompany them with any other personal information about the child, to ensure they cannot be identified.

8. Links with other policies

This data protection policy is linked to the following policies:

- ICT Code of Conduct for staff and pupils
- ICT Acceptable Use Agreement
- Staff Code of Conduct
- Pupil Code of Conduct
- Safeguarding Policy

9. Complaints

Complaints will be dealt with accordance with the school's complaints policy <https://canorwich.org/wp-content/uploads/2023/04/School-Complaints-Policy-2022-2023.pdf>
Complaints relating to information handling may be referred to the Information Commissioner.

10. Review

This policy will be reviewed as it is deemed appropriate, but every 2 years as a minimum.

11. Contacts

Any enquiries in relation to this policy, should be addressed to the Headteacher.

Further advice and information are available from the Information Commissioner's Office:
www.ico.gov.uk

SUBJECT ACCESS REQUEST

Law relating to this document

Leading statutory authority

General Data Protection Regulation (2016/679 EU)

The General Data Protection Regulation (GDPR) allows individuals to access information from organisations that process their personal data. The process for obtaining this information is known as a subject access request (sometimes referred to as a SAR or DSAR).

In response to a subject access request, the school must provide the following information:

- whether or not the individual's personal data is being processed;
- the purposes of the processing and the categories of personal data concerned.
- the recipients to whom the data has been or will be disclosed, including recipients in countries outside the European Economic Area and the appropriate safeguards relating to such data transfers.
- for how long the data will be stored, or how that period is determined.
- the individual's rights in relation to the rectification or erasure of data, the restriction of processing and to object to processing.
- the individual's right to lodge a complaint with the supervisory authority.
- any third-party sources of the data, where this information is available; and
- information about the logic involved in any automated decision-making, if applicable.

The school will provide the individual with a copy of the personal data undergoing processing. If the subject access request is made electronically, the information has to be provided in a commonly used electronic format, unless the individual agrees to receive it in some other way.

Individuals can make a subject access request through any format but is requested that individuals who wish to make a subject access request do so using the form below. However, although the school provides a form to assist with responding to subject access requests, it will still respond to requests that are made through other formats, such as email.

The school is not required to comply with a subject access request if they cannot identify the individual. Therefore, we may also need to verify the individual's identity to ensure that personal data is not inadvertently disclosed to a third party.

Under the GDPR, the time limit for responding to a subject access request is one month from the date of receipt. However, if a request is complex, the school can extend the time period for response by a further two months.

SUBJECT ACCESS REQUEST FORM

NOTE: The wording in this document reflects the requirements of the General Data Protection Regulation (GDPR)

Name:
Daytime telephone number:
Email:
Address:
Employee number (if appropriate):
By completing this form, you are making a request under the General Data Protection Regulation (GDPR) for information held about you by the organisation that you are eligible to receive.
Required information (and any relevant dates): [Example: Emails between "A" and "B" from 1 May 2017 to 6 September 2017.]
By signing below, you indicate that you are the individual named above. The school cannot accept requests regarding your personal data from anyone else, including family members. We may need to contact you for further identifying information before responding to your request. You confirm that you are the individual named and will fully indemnify us for all losses, cost, and expenses if you are not. Please return this form to the Headteacher. Please allow [28] days for a reply.
Data subject's signature:
Date:

REQUESTS UNDER THE FREEDOM OF INFORMATION ACT

Under the Freedom of Information Act 2000 the school has a responsibility to make certain information available to parents and members of the public.

Who to write to and how

Requests for information should be made to the Headteacher. Requests can be by:

- letter
- email

What to include

You should give:

- your name (not needed if requesting environmental information)
- a contact address.
- a detailed description of the information you want - for example, you might want all information held on a subject, or just a summary.

You can ask for information in a particular format, such as:

- paper or electronic copies of information
- audio format
- large print

When you will get a response

You should get the information within 20 working days. The School will tell you when to expect the information if they need more time.

Costs

Most requests are free, but you might be asked to pay a small amount for photocopies or postage. You'll be told by the school if you have to pay anything.