

Amotherby C P School Data Protection Policy



November 2025

1. Introduction

At Amotherby Primary School, we are committed to safeguarding the privacy of our pupils, staff, and all stakeholders. We ensure that all personal data is handled responsibly and securely in compliance with the latest UK data protection legislation, including the **UK General Data Protection Regulation (UK GDPR)** and the **Data Protection Act 2018**. This policy outlines how we collect, process, store, and protect personal data.

2. Scope

This policy applies to all staff, governors, volunteers, and contractors at Amotherby Primary School. It covers all personal data held by the school, including information about pupils, parents/carers, staff, and other individuals with whom the school interacts.

3. Key Definitions

- **Personal Data:** Any information relating to an identified or identifiable individual, such as names, addresses, phone numbers, and email addresses.
- **Special Category Data:** Personal data that is sensitive in nature, including information about racial or ethnic origin, health, religious beliefs, and biometric data.
- **Processing:** Any operation performed on personal data, including collection, storage, sharing, and destruction.
- **Data Subject:** The individual whose personal data is processed.
- **Data Controller:** The organisation (Amotherby Primary School) responsible for deciding how and why personal data is processed.
- **Data Processor:** An external person or organisation that processes personal data on behalf of the Data Controller.
- **Data Protection Officer (DPO):** The person appointed to oversee data protection compliance at Amotherby Primary School.

4. Legal Framework

This policy is based on the following legislation:

- **The UK General Data Protection Regulation (UK GDPR)**, which governs the processing of personal data.
- **The Data Protection Act 2018**, which supplements the UK GDPR.
- **The Freedom of Information Act 2000**, which outlines individuals' rights to access information held by public authorities.
- **The Education (Pupil Information) (England) Regulations 2005**, which sets out rules for the management of pupil information.

5. Data Protection Principles

In accordance with the UK GDPR, Amotherby Primary School ensures that personal data is:

1. **Processed lawfully, fairly, and transparently:** We will ensure that individuals are informed about how their data is used.
2. **Collected for specified, explicit, and legitimate purposes:** Data will only be collected for the purposes clearly communicated to the data subject.
3. **Adequate, relevant, and limited to what is necessary:** We only collect and process the data that we need for specific purposes.
4. **Accurate and kept up to date:** Data inaccuracies will be corrected or erased without delay.
5. **Kept no longer than necessary:** Personal data will be retained only for as long as is necessary to fulfil the stated purposes.
6. **Processed securely:** Appropriate security measures will be taken to protect personal data from unauthorised access, accidental loss, or damage.

6. Lawful Basis for Processing

We process personal data under one or more of the following lawful bases:

- **Consent:** The data subject has given clear consent for their personal data to be processed for a specific purpose.
- **Contract:** The processing is necessary to fulfil a contract with the individual, or because they have asked us to take specific steps before entering into a contract.
- **Legal Obligation:** The processing is necessary for compliance with a legal obligation.
- **Vital Interests:** The processing is necessary to protect someone's life.
- **Public Task:** The processing is necessary for the school to perform a task in the public interest or in its official function, and the task has a clear basis in law.
- **Legitimate Interests:** The processing is necessary for the legitimate interests of the school or a third party, unless those interests are overridden by the rights and interests of the individual.

For **special category data**, such as health information, additional conditions must be met to ensure lawful processing.

7. Data Subject Rights

Under the UK GDPR, individuals have the following rights regarding their personal data:

1. **Right to be informed:** Individuals have the right to know how and why their personal data is collected and processed.
2. **Right of access:** Individuals can request access to the personal data held about them by making a **Subject Access Request (SAR)**.
3. **Right to rectification:** Individuals can request that inaccurate or incomplete data be corrected.
4. **Right to erasure (right to be forgotten):** In certain circumstances, individuals can request that their personal data be deleted.
5. **Right to restrict processing:** Individuals can request that processing of their data is restricted in specific situations.
6. **Right to data portability:** Individuals have the right to obtain and reuse their personal data across different services in a structured, commonly used format.

7. **Right to object:** Individuals can object to the processing of their personal data in certain circumstances, such as for direct marketing.
8. **Rights related to automated decision-making and profiling:** Individuals have the right to challenge decisions made solely by automated means, where the decision has significant effects on them.

All requests from data subjects must be submitted to the school's Data Protection Officer (DPO) and will be processed within one month.

8. Data Security

Amotherby Primary School takes data security seriously. To protect personal data, we implement the following security measures:

- **Encryption:** Personal data is encrypted, especially when transferred electronically.
- **Access Controls:** Only authorised personnel have access to personal data, and they are trained in data protection protocols.
- **Secure storage:** Physical data is stored in locked, secure locations, and digital data is stored on secure servers with password protection.
- **Regular Audits:** We conduct regular audits to ensure compliance with data protection laws.

9. Data Breaches

A personal data breach is a security incident that leads to accidental or unlawful access, destruction, loss, or disclosure of personal data. In the event of a data breach, Amotherby Primary School will:

1. **Contain and assess the breach** to determine its impact.
2. **Notify the Information Commissioner's Office (ICO)** within 72 hours if the breach poses a risk to individuals' rights and freedoms.
3. **Inform affected individuals** without undue delay if there is a high risk that the breach will impact their rights and freedoms.
4. **Investigate the cause of the breach** and implement corrective actions to prevent future incidents.

All breaches must be reported to the Data Protection Officer, who will maintain a record of the breach and its resolution.

10. Data Retention

Amotherby Primary School retains personal data only for as long as necessary to fulfil the purposes for which it was collected. We adhere to the following retention periods:

- **Pupil Records:** Retained until the pupil reaches the age of 25.
- **Staff Records:** Retained for six years after the end of employment.
- **Safeguarding Records:** Retained until the pupil reaches the age of 25 or longer if necessary for legal reasons.

Once data is no longer required, it is securely destroyed.

11. Data Sharing

Amotherby Primary School only shares personal data with third parties where there is a lawful basis for doing so. We ensure that:

- **Third-party processors:** Any third parties processing data on our behalf comply with UK GDPR requirements.
- **Legal obligations:** We may share data with external agencies (such as local authorities, the Department for Education, or healthcare providers) where required by law.

The school will not share personal data with other third parties without the consent of the data subject unless it is legally required or in the public interest.

12. Roles and Responsibilities

- **Governors:** Ensure that the school complies with its data protection obligations.
- **Headteacher:** Responsible for overseeing the implementation of this policy and ensuring staff comply with data protection requirements.
- **Data Protection Officer (DPO):** The DPO is responsible for monitoring compliance with data protection laws, providing advice, and handling data protection concerns and requests. Contact details for the DPO are available on the school website.

13. Staff Training

All staff members, including temporary staff and volunteers, are required to complete data protection training. Training covers:

- The principles of data protection.
- How to handle personal data securely.
- How to report data breaches.

Refresher training will be provided annually to ensure ongoing compliance.

14. Monitoring and Review

This policy will be reviewed annually by the Senior Leadership Team and the Governing Body to ensure it remains in line with current legislation and guidance. Any significant changes will be communicated to staff, pupils, and parents/carers.

Contact Information

For further information on this policy or data protection queries, please contact the school's Data Protection Officer at:

Email: admin@anotherby.n-yorks.sch.uk

Telephone: 01653 693675

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