Lymington Junior School
Data Protection Policy

The school collects and uses personal information (referred to in the General Data Protection Regulation (GDPR) as personal data) about staff, pupils, parents and other individuals who come into contact with the school. This information is gathered in order to enable the provision of education and other associated functions. In addition, the school may be required by law to collect, use and share certain information.

The school is the Data Controller, of the personal data that it collects and receives for these purposes. Lymington Junior School, as a Data Controller, is registered with the Information Commissioner's Office. (ICO). Details are available on the ICO website. The school has a Data Protection Officer, Emma Bulman, who may be contacted at Lymington Junior School, Avenue Road, Lymington, Hampshire, SO41 9GP.

The school issues Privacy Notices (also known as a Fair Processing Notice) to all pupils/parents and staff. These summarise the personal information held about pupils and staff, the purpose for which it is held and who it may be shared with. It also provides information about an individual's rights in respect of their personal data.

Purpose
This policy sets out how the school deals with personal information correctly and securely and in accordance with the GDPR and other related legislation. This policy applies to all personal information however it is collected, used, recorded and stored by the school and whether it is held on paper or electronically.

What is Personal Information/ data?
Personal information or data means any information relating to an identified or identifiable individual. An identifiable individual is one who can be identified, directly or indirectly by reference to details such as a name, an identification number, location data, an online identifier or by their physical, physiological, genetic, mental, economic, cultural or social identity. Personal data includes (but is not limited to) an individual's, name, address, date of birth, photograph, bank details and other information that identifies them.

Data Protection Principles
The GDPR establishes six principles, as well as a number of additional duties, that must be adhered to at all times:
1. Personal data shall be processed lawfully, fairly and in a transparent manner
2. Personal data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes (subject to exceptions for specific archiving purposes)
3. Personal data shall be adequate, relevant and limited to what is necessary to the purposes for which they are processed and not excessive
4. Personal data shall be accurate and where necessary, kept up to date
5. Personal data shall be kept in a form that permits the identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed

6. Personal data shall be processed in a manner that ensures appropriate security of the person.

Duties
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. Data Controllers have a General Duty of accountability for personal data.

Commitment
The school is committed to maintaining the principles and duties in the GDPR at all times. Therefore the school will:

- Inform individuals of the identity and contact details of the data controller
- Inform individuals of the contact details of the Data Protection Officer
- Inform individuals of the purposes that personal information is being collected and the basis for this
- Inform individuals when their information is shared and why and with whom, unless the GDPR provides a reason not to do this
- If the school plans to transfer personal data outside the EEA, the school will inform individuals and provide them with details of where they can obtain details of the safeguards for that information
- Inform individuals of their data subject rights
- Inform individuals that the individual may withdraw consent (where relevant) and that if consent is withdrawn the school will cease processing their data although that will not affect the legality of data processed up until that point
- Provide details of the length of time an individual's data will be kept
- Should the school decide to use an individual's personal data for a different reason to that for which it was originally collected, the school shall inform the individual and where necessary seek consent
- Check the accuracy of the information it holds and review it at regular intervals
- Ensure that only authorised personnel have access to the personal information whatever medium (paper or electronic) it is stored in
- Ensure that clear and robust safeguards are in place to ensure personal information is kept securely and to protect personal information from loss, theft and unauthorised disclosure, irrespective of the format in which it is recorded
- Ensure that personal information is not retained longer than it is needed
- Ensure that when information is destroyed that it is done so appropriately and securely
- Share personal information with others only when it is legally appropriate to do so
- Comply with the duty to respond to requests for access to personal information (known as Subject Access Requests)
- Ensure that personal information is not transferred outside the EEA without the appropriate safeguards
- Ensure that all staff and governors are aware of and understand these policies and procedures.

Complaints
Complaints will be dealt with in accordance with the school's complaints policy. Complaints relating to the handling of personal information may be referred to the Information Commissioner who can be contacted at Wycliffe House, Water Lane Wilmslow Cheshire SK9 5AF or at www.ico.gov.uk

Review
This policy will be reviewed as it is deemed appropriate, but no less frequently than every 3 years. The policy review will be undertaken by the Data Protection Officer, Headteacher and Governing Body.

Contacts
If you have any enquires in relation to this policy, please contact Emma Bulman, Data Protection Officer, who will also act as the contact point for any subject access requests.

Policy Review
This policy is reviewed at least every 2 years by the school's Governing Body.

Date last adopted: September 2019

Appendix 1: Personal Data Breach Procedure

This procedure is based on guidance on personal data breaches produced by the ICO.

- On finding or causing a breach, or potential breach, the staff member or data processor must immediately notify the DPO
- The DPO will alert the Headteacher and the chair of governors
- The DPO will investigate the report, and determine whether a breach has occurred. To decide, the DPO will consider whether personal data has been accidentally or unlawfully:
    - Lost
    - Stolen
    - Destroyed
    - Altered
    - Disclosed or made available where it should not have been
    - Made available to unauthorised people
- The DPO will make all reasonable efforts to contain and minimise the impact of the breach, assisted by relevant staff members or data processors where necessary. (Actions relevant to specific data types are set out at the end of this procedure)
- The DPO will assess the potential consequences, based on how serious they are, and how likely they are to happen
- The DPO will work out whether the breach must be reported to the ICO. This must be judged on a case-by-case basis. To decide, the DPO will consider whether the breach is likely to negatively affect people's rights and freedoms, and cause them any physical, material or non-material damage (e.g. emotional distress), including through:
    - Loss of control over their data
    - Discrimination
    - Identify theft or fraud
    - Financial loss
    - Unauthorised reversal of pseudonymisation (for example, key-coding)
    - Damage to reputation
    - Loss of confidentiality
    - Any other significant economic or social disadvantage to the individual(s) concerned

If it's likely that there will be a risk to people's rights and freedoms, the DPO must notify the ICO.

- The DPO will document the decision (either way), in case it is challenged at a later date by the ICO or an individual affected by the breach. Documented decisions are stored securely on the school's computer system
- Where the ICO must be notified, the DPO will do this via the 'report a breach' page of the ICO website within 72 hours. As required, the DPO will set out:
    - A description of the nature of the personal data breach including, where possible:
        - The categories and approximate number of individuals concerned
        - The categories and approximate number of personal data records concerned
    - The name and contact details of the DPO
    - A description of the likely consequences of the personal data breach
    - A description of the measures that have been, or will be taken, to deal with the breach and mitigate any possible adverse effects on the individual(s) concerned

- If all the above details are not yet known, the DPO will report as much as they can within 72 hours. The report will explain that there is a delay, the reasons why, and when the DPO expects to have further information. The DPO will submit the remaining information as soon as possible
- The DPO will also assess the risk to individuals, again based on the severity and likelihood of potential or actual impact. If the risk is high, the DPO will promptly inform, in writing, all individuals whose personal data has been breached. This notification will set out:
    - The name and contact details of the DPO
    - A description of the likely consequences of the personal data breach
    - A description of the measures that have been, or will be, taken to deal with the data breach and mitigate any possible adverse effects on the individual(s) concerned
- The DPO will notify any relevant third parties who can help mitigate the loss to individuals – for example, the police, insurers, banks or credit card companies
- The DPO will document each breach, irrespective of whether it is reported to the ICO. For each breach, this record will include the:
    - Facts and cause
    - Effects
    - Action taken to contain it and ensure it does not happen again (such as establishing more robust processes or providing further training for individuals)

Records of all breaches will be stored securely on the school's computer system

- The DPO and headteacher will meet to review what happened and how it can be stopped from happening again. This meeting will happen as soon as reasonably possible