



Limehurst Academy Policy Document

Disclosure/Freedom of Information (STATUTORY)

Date Approved by Governors: June 2019

Review Date: June 2020

Headteacher's signature:

Chair of Governors' signature:

Data protection and sharing of information 2017-18

Limehurst is:

- An inspirational centre of learning where students excel
- A safe, healthy and fulfilling place to work and learn
- A proud, respectful and successful community

Context

Under the Data Protection Act 1998 & The GDPR all schools processing personal data must comply with the eight enforceable principles of good practice. Data must be:

- fairly and lawfully processed
- processed for limited purposes
- adequate, relevant and not excessive
- accurate
- not kept longer than necessary
- processed in accordance with the data subject's rights
- secure
- not transferred to other countries without adequate protection

Department for Education guidance

- Practitioners who provide services to children, young people and families have to make decisions on sharing information with other practitioners about those they are involved with. This calls for professional judgment.
- The Education Act 2005 over-rides the Data Protection Act. Therefore, where we are required to share data, a person's privacy under the DPA is not relevant. A student or parent cannot refuse statutory reporting (e.g. exam results).

Privacy Notice

- This is issued annually to all parents/carers. The notice must be clear about how information is be used. For example, examination results may be disclosed to other organisations such as another school or FE College. The privacy notice can be found on the academies website, www.limehurst.org.uk/gdpr

Guidance (if in doubt, always ask your line manager for guidance)

Sharing information with parents:

- Information can be given over the phone once the caller's identity has been established through asking questions about:
- The student's date of birth
- The first line of address
- One further piece of information
- Telephone number (must be the same as on SIMS)
- Student's middle name
- Coaching group
- If in any doubt, offer to telephone the parent back – but only on a phone number which is on SIMS

Sharing information with other organisations:

- Check why they require the information. If the reason is valid in your judgement, proceed. If not, seek advice
- Ask for the information to be requested in writing (email request is acceptable if email address is official, e.g. government, local authority or school – NOT Google, Gmail or yahoo etc.)
- Ask requester to provide, in writing, full name, address (if they have it) and date of birth of student
- If requester asks for information over the telephone, again ask them to provide some/all of the information above take a phone number from them (land line via switchboard), check using Google (official numbers can be traced straightaway) and telephone the requester back
- If information is given to an organisation other than the parents, this should be logged on the students' file on a standard form

Subject access request

- Is a request from an individual, using their right under the Data Protection Act or The GDPR. We will decide, taking any exemptions into consideration what information needs to be given. We have 1 month to respond to the request and we not request a fee, unless the request becomes repetitive & burdensome.

A written request for school records via an organization, such as a solicitor

- Can be processed only if there is written permission given by the individual (if 13+) **Taking competency into account* or a parent/carer, and
- Where the requester has stated that there is no issue with, or allegations of negligence against, the Academy

Parental responsibility and adding/removing of parents' details

- Parents' details can only be removed with the consent of the parent involved or supported by legal documentation. The procedure to be followed to see consent is covered by the 'Amendment of Contact Details' procedure. This procedure must only be carried out by the Data Team.

Use of photographs

- Photographs of all students and staff are used to enhance security and are stored electronically
- We will seek permission from students and/or parents before using photographs or videos for publicity