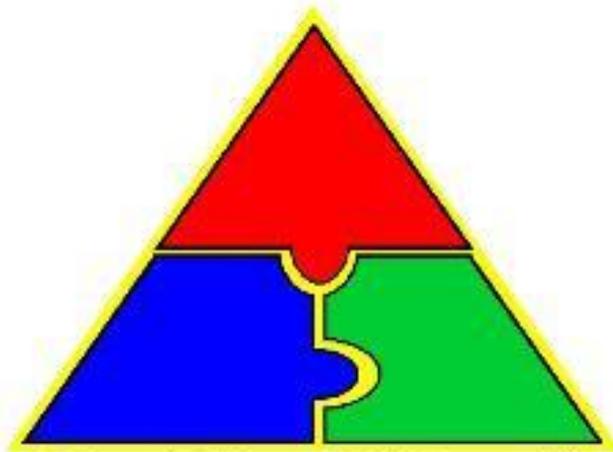


Ysgol Maes Y Mynydd



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Data Protection Policy

Approvals	
Approved by Governing Body on	Date: 15 July 2015
Signed by Chair of Governors:	<i>L Bayley</i>
To be reviewed in three years	Date: Summer Term 2018

1 Introduction

The Data Protection Act 1998 places legal responsibilities on organizations that collect and use personal information and gives access rights to specific individuals. The Act covers information that is structured, including data processed by computers and information recorded as part of a relevant filing system. The Act was amended by the Freedom of Information Act 2000 to include all personal information whether or not it is processed automatically as part of a relevant filing system. There are stricter requirements in the Act in relation to the processing of sensitive personal data. Information can be held in any format e.g. computer systems, paper records, CCTV. Personal information, sensitive personal data, processing and filing systems are defined in Appendix A.

In carrying out its business, Ysgol Maes Y Mynydd is required to collect and use certain types of information about people such as employees, clients, schoolchildren, customers and suppliers, and is therefore subject to the Act. This document sets out the intentions of the School in fulfilling its obligations under the Act and the arrangements it has in place in order to comply.

2 Responsibility for the Act

The School is committed to ensuring that all staff comply with the act. There is a data protection liaison officer in each of the Council's departments. Principal Officers are responsible for compliance with the law within their own department. The Principal Legal and Administration Officer will provide legal advice to the Council with regard to Data Protection issues.

3 Adhering to the eight principles of the Act

The School will collect and use personal information in accordance with the eight principles of the Act which require:

- 1 Personal data shall be processed fairly and lawfully. This includes adherence to at least one of the conditions described in Appendix 2 of the Act (and Schedule 3 in relation to sensitive personal data).
- 2 Personal data is kept for one or more specified and lawful purposes and they shall not be further processed in any manner not in keeping with that purpose or those purposes.
- 3 Personal data held for any purpose should be adequate, relevant and they should not be excessive in terms of the purpose or purposes of getting it processed. The Council will collect and process appropriate information that is needed to fulfil operational needs or to comply with legal requirements.
- 4 Personal data shall be accurate and, where appropriate, will be updated.
- 5 Personal data shall not be kept for longer than is necessary.
- 6 Personal data shall be processed in accordance with the rights of the data subjects under the Act.

- 7 Appropriate technical and organizational measures shall be taken against unauthorized or unlawful processing and against accidental loss, damage or destruction of personal data.
- 8 Personal data shall not be transferred to a country outside the European Economic Area unless that country ensures an adequate level of protection for the rights and freedoms of data subjects when processing personal data.

The School will:

- ensure that all staff receive training and guidance so that they understand that they are contractually responsible for complying with the law and know how to process information in accordance with the eight principles
- establish procedures for complying with the eight principles
- establish appropriate technical and organizational measures to protect personal information
- ensure that individuals are informed of the purpose for which their data is used and seek their permission for this if this is required by the law

4 Individual rights

The School will ensure that individuals can implement the rights described in the Act, including the right of access to personal information; the right to prevent the processing of personal information in certain circumstances; including for direct marketing purposes; and the right to rectify, block, erase or destroy inaccurate information.

4.1 Access for Individuals

4.1.1 Section 7 of the Act provides individuals with the right to obtain the following information from the data managers (those responsible for collecting information):

- are they processing information about them (the data subject)
- a description of the information being processed
- to whom the information is disclosed
- obtain copies of this information in a form they can understand

4.1.2 Wrexham County Borough Council will provide this information if requested to do so in writing and if the applicant provides sufficient information to enable the Council to locate information. The person making the inquiry will have to pay £10 in advance. The Council will respond to such requests within 40 calendar days of receiving an application. Additional fees may be charged for searching for unstructured information (i.e. information that is not on a computer or not part of a relevant filing structure) if a search for the information were to take more than 3 days.

4.1.3 The Council will provide the information in a permanent format that the applicant will understand unless doing so would involve excessive effort, or if the applicant agrees otherwise. If this is the case, the Council will arrange for the applicant to inspect the records.

4.1.4 The disclosure of personal information may be refused if it falls under any of the exceptions described in the Data Protection Act and subordinate legislation. The Council's Exemption Panel is authorized to decide whether to refuse to disclose information in accordance with the exceptions contained in the Act and any subordinate legislation. This panel includes the Principal Leisure, Libraries and Culture Officer, the Principal Legal and Administration Officer, the Principal Solicitor (Corporate) and the Culture/Heritage Officer. A minimum of two members of the Panel may take the decision, so long as either the Principal Legal and Administration Officer or the Principal Solicitor (Corporate) is in attendance.

4.1.5 The Archivist/Records Manager will coordinate requests for access to information.

4.1.6 The Social Services Department has its own procedures for responding to requests for files, which is in accordance with guidance issued by the Welsh Government. However, if these applications are made in accordance with section 7 of the Data Protection Act, the Archivist/Records Manager will record the details of the application.

4.2 The right to prevent processing of personal information in certain circumstances, including for direct marketing purposes

The Council will comply with the rights of individuals under sections 10, 11 and 12 of the Act. For example, the Council will not use personal information for marketing purposes if the individual to whom it relates has asked the Council not to use it for this purpose.

4.3 The right to rectify, block, erase or destroy inaccurate information

The Council will comply with responsibilities to amend any inaccurate data it holds about an individual in accordance with section 14 of the Act.

5 COMPLAINTS

The Council's Audit Support Manager will deal with complaints about the way the Council deals with personal information and will arrange an investigation into the matter. Complaint forms are available from Council offices, through the publication scheme or on the Council's website. If the complainant is dissatisfied with the outcome of the investigation they may complain directly to the Information Commissioner. Appeals can be lodged to the Information Tribunal against the Information Commissioner's decision.

Contact details:

Audit Support Manager
Wrexham County Borough Council
Legal and Administration Department
Town Hall
Wrexham
LL11 1AY

Phone: 01978 292257

Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Phone: 01625 524510

www.informationcommissioner.gov.uk

Appendix A

Definitions

Personal information is information or data affecting the personal privacy of individuals, whether in their personal or family life, business or profession. It is information that focuses on the individual. A person's name is unlikely to be personal data if it is not linked to any other personal information. If there is other information such as an address or phone number this is likely to be personal information. Information about medical history, salary and bank statements are examples of personal information. Personal information may include any expression of opinion about the individual. Information that focuses on something else, such as a survey of a property will not be personal information. The fact that individuals are named in a document does not mean that it is personal information.

Sensitive personal data means information about individuals that refer to racial or ethnic origin, political opinions, religious beliefs, trade union membership, physical or mental health, sexual life and criminal records.

Processing in terms of information or data means receiving, recording, holding or using the information. The use of information would include modifying, seeking, reading, disclosing or destroying it, or revealing it to others.

Relevant filing system means information structured either by reference to individuals or by reference to criteria relating to individuals so that specific information about individuals is readily available.

School Name:	Ysgol Maes Y Mynydd
Consultation carried out:	Developed in discussion with the Authority, and staff
Date of formal approval of the Policy by the Governing Body:	15 July 2015
Date Policy comes into force:	15 July 2015
Review Date(s):	Summer term 2018
Who is responsible for its' implementation:	Headteacher