



Mayfield Primary School

### 3. Data Protection (GDPR) Policy



## **START WITH WHY**

**Every action we take is because of this...OUR VISION FOR OUR SCHOOL IN OUR COMMUNITY.**

# **‘Valuing Every Achievement’**

## **Defining our Vision & Intent**

We intend to see our children socially, morally and academically ready for the future. All in equal measure but driven by the social and moral aspects. Our journey is as much about ‘how we approach our learning’ as anything else. Learning to learn is vital for our children. A thirst to learn from mistakes, ability to bounce back from difficulties, be resilient and be independent as against a culture of ‘learned helplessness’. This will prepare them for the challenges and opportunities they may face in their future and this can foster ambition and aspiration to be the person we hope they can become. We drive and celebrate the skills and qualities that will bring this about and attempt to develop a more rounded, inclusive and understanding view of the modern wider world. Our children’s speaking, listening, confidence and presentational skills are absolutely paramount to all of this and we aim to develop these continually within a curriculum that is broad, well balanced and seizes the importance of our locality, creativity and ‘performing arts’

*We aim to value every achievement but our school must also enable every achievement.*

*\*\* Mayfield Primary School is committed to valuing diversity and to equality of opportunity. We aim to create and promote an environment in which pupils, parents/carers and staff are treated fairly and with respect, and feel able to contribute to the best of their abilities. We recognise that it is unlawful to take into account anyone’s gender, marital status, colour, race, nationality, ethnic or national origin, disability, religious beliefs, age or sexual orientation. \*\**

## **DATA PROTECTION POLICY**

The following policy relates to all Mayfield Primary School employees (including voluntary, temporary, contract and seconded employees), who capture, create, store, use, share and dispose of information on behalf of Mayfield Primary School.

These persons shall be referred to as 'Users' throughout the rest of this policy.

Mayfield Primary School shall be referred to as 'the school' or 'we' throughout the rest of this policy.

The following policy relates to all electronic and paper based information.



## Statement of Commitment

In order to undertake our statutory obligations effectively, deliver services and meet customer requirements, the school needs to collect, use and retain information, much of which is personal, sensitive or confidential.

Such information may be about:

Pupils  
Parents and Guardians  
Governors  
Employees or their families  
Members of the public  
Business partners  
Local authorities or public bodies

We regard the lawful and correct treatment of personal data by the school as very important to maintain the confidence of our stakeholders and to operate successfully.

To this end, the school will ensure compliance, in all its functions, with the Data Protection Act (DPA) 1998, the General Data Protection Regulation (GDPR) and the new Data Protection Act (DPA) 2018, and with other relevant legislation.

## Data Protection Principles

The Principles of DPA and GDPR state that personal information must be:

- Processed lawfully, fairly and in a transparent manner in relation to individuals; the lawful basis can be:
- Consent of a data subject
- Processing is necessary for the performance of a contract with the data subject
- Processing is necessary for compliance with a legal obligation (e.g. The Education Act 1996, School Standards and Framework Act 1998, Education Act 2002, Children and Families Act 2014)
- Processing is necessary to protect the vital interests of the data subject or another person (e.g. life or death)
- Processing is necessary for the performance of a task carried out in the public interest

The lawful basis for sensitive personal data (racial, political, religious, trade union, genetic, health, sex life, criminal convictions or offences) is:

- Explicit consent of the data subject
- Processing is necessary for carrying out obligations under employment, social security or social protection law
- Processing is necessary to protect the vital interests of a data subject or another individual where the data subject is physically or legally incapable of giving consent
- Processing carried out by a not-for-profit body with a political, philosophical, religious or trade union aim provided the processing relates only to members or former members and provided there is no disclosure to a third party without consent
- Processing relates to personal data manifestly made public by the data subject
- Processing is necessary for the establishment, exercise or defence of legal claims or where courts are acting in their judicial capacity
- Processing is necessary for reasons of substantial public interest
- Processing is necessary for the purposes of preventative or occupational medicine, for assessing the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or management of health or social care systems and services
- Processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of healthcare and of medicinal products or medical devices
- Processing is necessary for archiving purposes in the public interest, or scientific and historical research purposes or statistical purposes in accordance with Article 89(1)



- Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes
- Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed
- Accurate and, where necessary, kept up to date
- Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.
- Processed in a manner that ensures appropriate security of the personal data against unauthorised processing, accidental loss, destruction or damage, using appropriate technical or organisational measures.

## **Compliance with the Data Protection Principles and Data Protection Legislation**

In order to comply with these principles and meet all data protection obligations as stipulated in data protection legislation, the school will:

- Raise awareness of data protection across the school.
- Offer data protection training to all employees and governors.
- Create a data protection policy for the school that is updated annually.
- Complete a personal data processing audit, which lists the following:
  - Name of the personal data set.
  - Purpose for processing this personal data set.
  - Who the data set is shared with.
  - Is the data transferred to another country.
  - How long do you keep the personal data set (retention).
  - The technical and organisational security measures to protect the personal data set.
  - The legal basis for processing as described above (1).
  - If consent is the legal basis for processing, details of the evidence of this consent.
  - Put any risks found from the personal data processing audit process into a risk register.
  - Review the school's consent forms so they meet the higher standards of GDPR, create an audit trail showing evidence of consent.
- Under 13's can never themselves consent to the processing of their personal data in relation to online services, this rule is subject to certain exceptions such as counselling services.
- Register with the Information Commissioners Officer as a data controller.
- Appoint a data protection officer who will monitor compliance with the GDPR and other data protection laws.
- Create a privacy notice that will let individuals know who we are, why we are processing their data and if we share their data.

Create a system to allow data subjects to exercise their rights:

- Right to be informed via a privacy notice.
- Right of access via a subject access request within 1 month.
- Right of rectification to incorrect data within 1 month.
- Right to erasure unless there is a legal reason for processing their data.
- Right to restrict processing to the bare minimum.
- Right to data portability to receive their data in the format they request.
- Right to object to personal data being used for profiling, direct marketing or research purposes.
- Rights in relation to automated decision making and profiling.
- Amend any business contracts with suppliers to ensure that they will conform to new data protection legislation.
- Implement technical and organisational controls to keep personal data secure.
- Use Privacy Impact Assessments to assess the privacy aspects of any projects or systems processing personal data.
- Ensure an adequate level of protection for any personal data processed by others on behalf of the school that is transferred outside the European Economic Area.
- Investigate all information security breaches, and if reportable, report to the Information Commissioners Office within 72 hours.
- Undertake data quality checks to ensure personal data is accurate and up to date.
- Demonstrate our compliance in an accountable manner through audits, spot checks, accreditations and performance checks.
- Support the pseudonymisation and encryption of personal data.



## Rights of the Individual

The list of rights that a data subject (person who the data is about) can exercise has been widened by Section 2 of the GDPR:

- The right to be informed; via privacy notices.
- The right of access; via subject access requests (SARS), the timescale for response has been reduced from 40 calendar days to one calendar month. SARS must be free of charge, charges can only be made for further copies or where requests for information are unfounded or excessive.
- The right of rectification; inaccurate or incomplete data must be rectified within one month.
- The right to erasure; individuals have a right to have their personal data erased and to prevent processing unless we have a legal obligation to do so.
- The right to restrict processing; individuals have the right to suppress processing. We can retain just enough information about the individual to ensure that the restriction is respected in future.
- The right to data portability; we need to provide individuals with their personal data in a structured, commonly used, machine readable form when asked.
- The right to object; individuals can object to their personal data being used for profiling, direct marketing or research purposes.
- Rights in relation to automated decision making and profiling; GDPR provides safeguards for individuals against the risk that a potentially damaging decision is taken without human intervention.

The school will ensure that these rights will be exercised.

## Contact

Contact the Data Protection Officer by:

Email: [bursar@mayfield.lancs.sch.uk](mailto:bursar@mayfield.lancs.sch.uk)

Phone: 01253 723465

Post: Mrs J Thomason  
Mayfield Primary School  
St Leonard's Road East  
Lytham St Annes  
Lancashire  
FY8 2HQ

## Version Control

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Overview of Amendments to this Version:	Changes/updates to Appendix 2



Appendix I

SUBJECT ACCESS REQUEST  
ACCESS TO PERSONAL DATA REQUEST

Enquirers Surname		Enquirers Forename	
Enquirers Address			
Enquirers Post Code			
Enquirers Telephone Number			
Are you the person who is the subject of the records you are enquiring about (ie the "Data Subject")?			YES/NO
If NO, do you have the parental responsibility for a child who is the "Data Subject" of the records you are enquiring about?			YES/NO
Name of child or children about whose personal data records you are enquiring			
Description of Concerns/Area of Concern			
Description of Information or Topic(s) Requested (In your own words)			
Additional Information			

Please send reply to: (if different from enquirer's details as stated on this form)

Name: .....

Address: .....

.....

Post Code: .....



**DATA SUBJECT DECLARATION**

I request that the School search its records based on the information supplied above under the GDPR and provide a description of personal data found from the information described in the details outlined above relating to me (or my child/children) being processed by the School.

I agree that the reply period will commence when I have supplied sufficient information to enable the School to perform the search.

I consent to the reply being disclosed and sent to me at my stated address (or to the Despatch name and Address above who I have authorised to receive such information).

Signature of "Data Subject" (or Subject's Parent): .....

Name of "Data Subject" (or Subject's Parent) (PRINTED): .....

Dated: .....



## APPENDIX 2

### THIRD PARTY SUPPLIERS WITH ACCESS TO MAYFIELD PRIMARY SCHOOL PERSONAL DATA

LCC HR & Payroll		
EDS		
LCC Admissions		
LCC Children's Services		
DFE (various sites and sections)		
Standards and Testing Agency		SATS
Twitter		
HCSS		
Local Government Pension Scheme		
Teachers' Pension Scheme		
Microsoft (Office suite, Office 365 and Outlook email)		Cloud based data store
Easimaths		
BSquared		SEN Tracking System
Tapestry		
Timestables Rockstars		
PurpleMash		
Nessy		
Lancashire Tracker		
Parentpay		
Paypoint		
OHAssist		Occupational Health
SIMs.Net		
School Nurse Services		
Virgin Care – Public Health Nursing and Schools Partnership		
LCC Property Maintenance		
Telephone System		
Western Business Solutions		IT Provider/Technician
Oak Tree Children's Service Centre (Child & Family Wellbeing Service)		
Supply Agencies, Veritas, Step by Step		
LCC SEND/EAL Traded Services		
Home Start		
LCC Governor Services		
Fylde Coast YMCA		Swimming Lessons
Lancashire Professional Development Services (LGPS)		Courses
Lesar/Inventry Signing in System & Classmark		
MyEd		Cloud Based Communication Software
Sharp		Photocopiers
Co-ordinated Kids		
Oracle Self Service		
Corban Psychology Limited		
Blackpool Borough Council		
Top Marque		Uniform Supplier
Magic Breakfast		National Charity Breakfast Supplier
Standards & Testing Agency		National Foundation for Educational Research (NFER). Data from Reception Baseline Assessment (RBA)
Pupil Rewards Points		Rewards Platform for Pupils
Key to Life		SEN Teacher
Waite Psychology		Ed Psych