



The Spire Church of England Learning Trust

GDPR Policy

(incorporating ICO Freedom of information Policy)

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The Trust holds and processes information about its staff, applicants, students, parents/carers, and other individuals who come into contact with the school who are defined as 'data subjects' under the Data Protection Act 1998. The schools process personal data for a variety of reasons including to monitor attendance and academic progress, health and safety reasons and other statutory requirements. In addition, it may be required by law to collect and use certain types of information to comply with statutory obligations of Local Authorities, government agencies and other bodies.

Compliance with the Data Protection Act 1998

The Trust takes the protection of all personal data very seriously and to comply with the law, personal information must be collected and used fairly, stored safely and not disclosed to any other person unlawfully. Personal information must be dealt with properly however it is collected, recorded and used, whether on paper or in electronic form.

To this end we fully endorse and adhere to the Principles of Data Protection, as detailed in the Data Protection Act 1998.

Specifically, the principles require that personal information:

- shall be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met
- shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes
- shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed
- shall be accurate and, where necessary, kept up to date
- shall not be kept for longer than is necessary for that purpose or those purposes
- shall be processed in accordance with the rights of data subjects under the Act
- appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, 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 protection for the rights and freedoms of data subjects in relation to the processing of personal data

The Trust and all staff who process, hold or use any personal information must ensure that they follow these principles at all times.

The Data Controller

The Trust is responsible for the implementation of the terms of the Data Protection Act and is responsible for appointing someone with specific responsibilities for data protection within the schools. This includes annual registration with the Information Commissioner as required by the Data Protection Act. The data controller will be familiar with information risks and the organisation's response, take ownership of the information risk policy, and act as an advocate for information risk management.

The current appointees at each school within the Trust are;-

St Johns C of E Middle School, Bromsgrove - Hanson Cheuk (Assistant Headteacher)
St Johns Primary School, Kidderminster - Jannine McMhoh(School Business Manager)
St Matthias Primary School, Malvern - SchoolPro TLC

Information Asset Owners

The school has also identified Information Asset Owners (IAOs) for the various types of data being held in school (e.g. student/ staff information, assessment data etc). These IAOs will manage and address risks to the information and understand what information is held and for what purpose, how information has been amended or added to over time, and who has access to protected data and why. They will ensure that information in their care is protected by an appropriate level of security, through, for example, password protection or where necessary, encryption.

Current appointees are:

St Johns C of E Middle School, Bromsgrove

SIMS/data : Jan Perrey
External testing : Hanson Cheuk
Staff : Jan Perrey
ICT Support : Sean Chadwick
Safeguarding : Kevin Medway
SEN : Daniel McEvilly
Student Archives :

St Johns Primary School, Kidderminster

SIMS/data : Jannine McMahan
External testing : N/A
Staff : Caroline Lowe
ICT Support : Caroline Lowe
Safeguarding : Caroline Lowe
SEN : Lisa White
Student Archives : Caroline Lowe

St Matthias Primary School, Malvern

SIMS/data	: Karen Kazeronni/ James Thompson/ Ginnie Beale
External testing	: N/A
Staff	: Ginnie Beale/ Kaye James
ICT Support	: Simeon Bennett/ James Thompson
Safeguarding	: Ginnie Beale/ Carl Salmon
SEN	: Emma Lodge
Student Archives	: Ginnie Beale

Responsibilities of all staff

All staff are responsible for:

- checking that any information they provide to the school in connection with their employment is accurate and up to date
- informing the school of any changes to information which they have provided, e.g. changes of address, telephone numbers
- informing the school of any errors in the information that the school holds about them

Responsibilities of parents/carers

All parents/carers are responsible for:

- checking that any information they provide to the school is accurate and up to date
- informing the school of any changes to information which they have provided, e.g. changes of address, telephone numbers
- informing the school of any errors in the information that the school holds about them

The school cannot be held responsible for any errors of which it has not been informed.

Data security

- All staff are responsible for ensuring that any personal information, which they hold, or for which they are responsible, is kept securely. This could include information about a variety of members of the school community- including students, staff and parents/carers- e.g. legal guardianship issues, disciplinary records, progress records, reports, references, employment history, taxation and national insurance records, or appraisal records. Staff are also responsible for taking particular care when handling “sensitive personal data”- for a student this would include if they had special educational needs or if they were a “looked after child”, medical information relating to them, child protection issues relating to them, their religious beliefs or political opinions, their physical or mental health issues or their sexual orientation. This would also include more logistical items such as addresses, phone numbers or dates of birth.

- Personal information stored in electronic form must be password protected.
- Computers, laptops, tablets, mobile phones and other personal devices used to store or access personal information must be locked whenever they are left unattended.
- Computers, laptops, tablets, mobile phones and other personal devices used to store or access personal information must be password protected. Please refer to the 'Security' section of the 'Staff ICT Acceptable User Policy'.
- Personal information must be kept on the network storage facilities provided.
- Personal information that is collected or processed over the internet must only be accessed via a secure encrypted connection using username authentication to prevent unauthorised disclosure.
- Personal information must not be transferred via email.
- Personal information must not be disclosed either orally or in writing or accidentally or otherwise to any unauthorised third party.
- All staff must abide by the rules laid out in the 'Staff ICT Acceptable User' policy, including the 'Data Protection in the classroom' section.

Retention of Data

The school will keep different types of information for differing lengths of time, depending on legal, academic and operational requirements. Advice on the collection, retention and secure storage of information may be obtained from the Data Controller.

Disposal of Data

The school will comply with the requirements for the safe destruction of personal data when it is no longer required or if deletion is requested by the data subject. The disposal of data, in either paper or electronic form, must be conducted in a way that makes reconstruction highly unlikely. Electronic files must be securely overwritten, in accordance with government guidance, and other media must be shredded, incinerated, or otherwise disintegrated for data. Paper files containing sensitive information should be placed in a white "confidential waste" bags for shredding.

Rights to Access Information

All data subjects have the right to access any personal information that is held about them. They also have the right to have inaccurate data corrected, destroyed or erased. Any person who wishes to exercise this right should contact the school's Data Controller in writing. Your letter should include your name and contact details. The school may ask for further information in order to confirm your identity. The school reserves the right to make a charge of up to £10 where any such request is manifestly unfounded, excessive or repetitive. We also reserve the right to charge for requests of further copies of the same information. The school will comply with the request within 30 days from the date that the written request is received.

Compliance

Unauthorised disclosure of personal information is in breach of the Data Protection Act 1998 and may result in disciplinary action. In some cases, it may be considered as gross misconduct and may result in a personal liability for the individual staff member.

Any data subject, who feels that this policy has not been correctly followed with regard to personal information about themselves, should raise the matter initially with the Data Controller. If they feel that the matter has not been resolved it should be raised as a formal grievance or alternatively can contact the Information Commissioner's Office (<https://ico.org.uk/concerns/>).

Biometric Recognition Systems

Where school within the trust use pupils' biometric data as part of an automated biometric recognition system (for example, pupils use finger prints to receive school dinners instead of paying with cash), it will comply with the requirements of the Protection of Freedoms Act 2012.

Parents/carers will be notified before any biometric recognition system is put in place or before their child first takes part in it. The schools within the trust will get written consent from at least one parent or carer before we take any biometric data from their child and first process it.

Parents/carers and pupils have the right to choose not to use the school's biometric system(s). Alternative means of accessing the relevant services will be provided for those pupils. For example, pupils can pay for school dinners in cash at each transaction if they wish.

Parents/carers and pupils can object to participation in the school's biometric recognition system(s), or withdraw consent, at any time, and we will make sure that any relevant data already captured is deleted.

As required by law, if a pupil refuses to participate in, or continue to participate in, the processing of their biometric data, we will not process that data irrespective of any consent given by the pupil's parent(s)/carer(s).

Where staff members or other adults use the school's biometric system(s), we will also obtain their consent before they first take part in it, and provide alternative means of accessing the relevant service if they object. Staff and other adults can also withdraw consent at any time, and the school will delete any relevant data already captured.

Loss or mismanagement

It is imperative that any loss or mismanagement of information is reported as soon as it is recognized. In the event of a security lapse, staff should:

- immediately inform the data controller, recording time and date that the loss was identified and the nature of the data lost.
- record any details regarding the loss of data, for example, where the loss has occurred and any staff or students present at the time.

The data controller will supply the relevant authorities with details regarding the time and place of loss, or when loss was identified, and of the nature of the data and potential risk.

APPENDIX A

Freedom of Information Policy and Publication Scheme

The Freedom of Information Act 2000 gives members of the public the right to access official information held by Public Authorities. As well as responding to requests for information made under the Freedom of Information Act 2000, the school is required to publish information proactively. The Freedom of Information Act requires every School to have a publication scheme, approved by the Information Commissioner's Office (ICO), and to publish information covered by the scheme. The scheme sets out our commitment to make certain classes of information routinely available, such as policies and procedures, minutes of meetings, annual reports and financial information.

The Spire Academy Trust has adopted the Information Commissioner's Model Publication Scheme in its entirety and have produced a guide to information which sets out the information we hold, where it can be obtained and whether a fee is payable.

Introduction: what a publication scheme is and why it has been developed

One of the aims of the Freedom of Information Act 2000 (which is referred to as FoIA in the rest of this document) is that public authorities, including all maintained schools, should be clear and proactive about the information they will make public.

To do this we must produce a publication scheme, setting out:

- The classes of information which we publish or intend to publish;
- The manner in which the information will be published; and
- Whether the information is available free of charge or on payment.

The scheme covers information already published and information which is to be published in the future. All information in our publication scheme is available for you on our website to download and print off or available in paper form.

Some information which we hold may not be made public, for example personal information.

This publication scheme conforms to the model scheme for schools approved by the Information Commissioner.

This publication scheme is a means of showing how we are pursuing these aims.

Categories of information published

The publication scheme guides you to information which we currently publish (or have recently published) or which we will publish in the future. This is split into categories of information known as 'classes'. These are contained in a later section of this scheme.

The classes of information that we undertake to make available are organised into five broad topic areas:

- School Handbook – information published in the school handbook.
- School Prospectus – information published in the school prospectus.
- Governors Documents-information published in Governing Body documents
- Pupils & Curriculum – information about policies that relate to pupils and the school curriculum.
- School Policies and other information related to the school – information about policies that relate to the school in general.

How to request information

If you require a paper version of any of the documents within the scheme, please contact the school responsible by telephone, email or letter. Contact details are set out below or you can visit our website at

Email:

Tel:

Contact Address:

To help us process your request quickly, please clearly mark any correspondence "PUBLICATION SCHEME REQUEST" (in CAPITALS please).

If the information you are looking for is not available via the scheme and is not on our website, you can still contact the school to ask if we have it.

Paying for information

Information published on our website is free, although you may incur costs from your Internet service provider. If you don't have Internet access, you can access our website using a local library or an internet café.

Single copies of information covered by this publication are provided free unless stated otherwise in the appendix. If your request means that we have to do a lot of photocopying or printing, or pay a large postage charge, or is for a priced item such as some printed publications or videos we will let you know the cost before fulfilling your request.

NB This policy should be read in conjunction with the GDPR Policy.

Agreement Date: Autumn 2020

Review Date: Autumn 2022

This Policy was prepared giving due regard to the disabilities and/or special education needs, age, race, religion or belief, sex/sexual orientation, gender/gender reassignment, marriage and civil partnership, pregnancy and maternity of the children and staff at The Spire Trust and its community.

Freedom of Information

Guide to information available from The Spire Academy trust model publication scheme

Information to be published. This includes datasets where applicable – please see “How to complete the Guide to Information”.	How the information can be obtained
Class 1 - Who we are and what we do (Organisational information, structures, locations and contacts) This will be current information only	Prospectus Website
Who’s who in the school	Handbook Website
Who’s who on the governing body / board of governors and the basis of their appointment	Handbook Website
Instrument of Government / Articles of Association	By request
Contact details for the Head teacher and for the governing body, via the school (named contacts where possible).	Handbook Prospectus Website
School prospectus (if any)	Website
Staffing structure	Handbook Website
School session times and term dates	Handbook Website
Address of school and contact details, including email address.	Handbook Website Prospectus

Freedom of Information

<p>Class 2 – What we spend and how we spend it (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit)</p> <p>Current and previous financial year as a minimum</p>	<p>Hard copy on request</p>
<p>Annual budget plan and financial statements</p>	<p>Hard copy on request</p>
<p>Capital funding</p>	<p>Hard copy on request</p>
<p>Financial audit reports</p>	<p>Hard copy on request</p>
<p>Details of expenditure items over £2000 – published at least annually but at a more frequent quarterly or six-monthly interval where practical.</p>	<p>Hard copy on request</p>
<p>Pay policy</p>	<p>Hard copy on request</p>
<p>Staff allowances and expenses that can be incurred or claimed, with totals paid to individual senior staff members (Senior Leadership Team or equivalent, whose basic actual salary is at least £60,000 per annum) by reference to categories.</p>	<p>Hard copy on request</p>
<p>Staffing, pay and grading structure. As a minimum the pay information should include salaries for senior staff (Senior Leadership Team or equivalent as above) in bands of £10,000; for more junior posts, by salary range.</p>	<p>Hard copy on request</p>
<p>Governors' allowances that can be incurred or claimed, and a record of total payments made to individual governors.</p>	<p>Hard copy on request</p>

Freedom of Information

<p>Class 3 – What our priorities are and how we are doing</p> <p>School profile</p> <p>And in all cases:</p> <ul style="list-style-type: none"> • Performance data supplied to the English or Welsh Government or to the Northern Ireland Executive, or a direct link to the data • The latest Ofsted / Estyn / Education and Training Inspectorate report <ul style="list-style-type: none"> - Summary - Full report • Post-inspection action plan 	<p>Website</p> <p>Website</p> <p>Website</p>
<p>Performance management policy and procedures adopted by the governing body.</p>	<p>Hard copy on request</p>
<p>Performance data or a direct link to it</p>	<p>Website</p>
<p>The school's future plans; for example, proposals for and any consultation on the future of the school, such as a change in status</p>	<p>Hard copy on request</p>
<p>Safeguarding and child protection</p>	<p>Website</p>
<p>Class 4 – How we make decisions (Decision making processes and records of decisions)</p> <p>Current and previous three years as a minimum</p>	
<p>Admissions policy/decisions (not individual admission decisions) – where applicable</p>	<p>Website</p>

Freedom of Information

Agendas and minutes of meetings of the governing body and its committees. (NB this will exclude information that is properly regarded as private to the meetings).	Hard copy on request
<p>Class 5 – Our policies and procedures (Current written protocols, policies and procedures for delivering our services and responsibilities)</p> <p>Current information only.</p> <p>Statutory Policies</p> <ul style="list-style-type: none"> • Behaviour • Charging and Remissions • Complaints Procedures • Freedom of Information • Health and Safety • Safeguarding • Relationships and Sex Education • Supporting Students with Medical Conditions <p>Other school policies</p>	<p>Website</p> <p>Website Hard copy</p>
<p>Records management and personal data policies, including:</p> <ul style="list-style-type: none"> • Information security policies • Records retention, destruction and archive policies • Data protection (including information sharing policies) 	Meet with Headteacher to discuss requests
Curriculum circulars and statutory instruments	Meet with Headteacher to discuss requests
Disclosure logs	Meet with Headteacher to discuss requests
Asset register	Meet with Headteacher to discuss requests

Any information the school is currently legally required to hold in publicly available registers	Meet with Headteacher to discuss requests
Extra-curricular activities	Letters home Newsletters



Freedom of Information

Out of school clubs	Letters home Newsletters
Services for which the school is entitled to recover a fee, together with those fees	Letters home
School publications, leaflets, books and newsletters	Website

SCHEDULE OF CHARGES

TYPE OF CHARGE	DESCRIPTION	BASIS OF CHARGE
Disbursement cost	Photocopying/printing @ 5p per sheet (black & white)	Actual cost
	Photocopying/printing @ 10p per sheet (colour)	Actual cost
	Postage	Actual cost of Royal Mail standard 2 nd class