

# **Scoill yn Jubilee**

## **Data Protection Policy**

### **Scope of Policy**

This policy is intended to provide information about how the school will use (or "process") personal data about individuals, termed 'Data Subjects'; including current, past and prospective staff, students; and their parents, carers or guardians (referred to in this policy as "parents"). During the course of the school's activities it collects, stores and processes personal data about staff, students; their parents, suppliers and other third parties, and it is recognised that the correct and lawful treatment of this data will maintain confidence in the organisation and will provide for successful business operations.

Anyone who works for, or acts on behalf of, the school (including staff, volunteers, governors and service providers) should be aware of and comply with the school's data protection policy and more generally the Isle of Man Government Data Protection Policy, and any breach of this policy may result in disciplinary action. The Policy should also comply with the Data Protection Act 2018 and the Data Protection (Application of GDPR) Order 2018, the Data Protection (Application of LED) Order 2018, and associated GDPR Regulations 2018 (or any updates to such legislation under this Act and Orders).

This policy sets out the basis on which the school will process any personal data that we collect from data subjects, or that is provided to us by data subjects or other sources. It does not form part of any worker's contract of employment and will be amended as necessary. The school is required to process relevant personal data regarding employees as part of its operation and shall take all reasonable steps to do so in accordance with this policy.

For the purpose of this policy 'The School' is defined as Scoill yn Jubilee.

The staff at Scoill yn Jubilee intend to comply fully with the requirements and principles of the latest Data Protection Act. All staff involved with the collection, processing and disclosure of personal data will be aware of their duties and responsibilities within these guidelines.

### **Aims**

- To ensure the school complies with legislative requirements.
- To ensure that the data protection rights of students, staff and other members of the school community are safeguarded.
- To clarify the types of records maintained and the procedures relating to making them available to relevant bodies
- To clarify the storage and data protection framework on the recording of educational progress of pupils
- To establish clear guidelines on making these records available to parents and to pupils
- To stipulate the length of time records and reports will be maintained

## **Data Controller**

The Executive Headteacher is a Data Controller. The School will endeavor to ensure that all personal data is processed in compliance with this policy, the Data Protection Act 2018 and the Data Protection (Application of GDPR) Order 2018, the Data Protection (Application of LED) Order 2018, and associated GDPR Regulations 2018 (or any updates to such legislation under this Act and Orders).

Department of Education, Sport and Culture as Data controller:  
Tel 01624 685828. Email: [DPO-DESC@gov.im](mailto:DPO-DESC@gov.im) .

## **The Principles**

When processing personal data the following principles apply. The principles require personal data to be:

1. processed lawfully, fairly and in a transparent manner (Lawfulness, fairness and transparency);
2. collected only for specified, explicit and legitimate purposes and not further processed in a manner incompatible with those purposes (Purpose Limitation);
3. adequate, relevant and limited to what is necessary to achieve the purpose the information was collected (Data Minimisation);
4. accurate and where necessary kept up to date (Accuracy);
5. not kept in a form which permits identification of data subjects for longer than is necessary for the purpose which the personal data is processed (Storage limitation); and
6. processed in a manner that ensures its security, using appropriate technical and organisational measures to protect against unauthorised or unlawful processing, and against accidental loss, damage or destruction (Security, integrity, resilience and confidentiality/availability).

## **Personal Data**

Personal data covers information relating to Data Subjects, that is identifiable living individuals, such as job applicants, current and former employees, agency, contract and other staff, students and their parents, suppliers and marketing and business contacts.

## **Processing of Personal Data**

The school's policy is to process personal data in accordance with the applicable data protection laws as set out above. All staff have a responsibility for the practical application of this policy. When gathering personal data or establishing new data protection activities, staff should ensure that individuals whose data is being processed have access to the appropriate privacy notices to inform them how the data will be used. Parental and student consents will be sought and retained in relation to specific use of data as required.

## **Rights of Individuals**

Individuals have the right to access personal data about them held by the school, subject to certain exemptions and limitations. Any individual wishing to access their personal data should put their request in writing to the Data Controller or the Data Protection Officer for the Department of Education, Sport and Culture..

The school or Data Protection Officer will endeavor to respond to any such written requests (known as "subject access requests") as soon as is reasonably practicable and in any event within statutory time-limits in line with the Department's Subject Access Request procedures which can be found online at <https://www.gov.im/media/1363107/subject-access-request-procedure-desc.pdf>

Certain data is exempt from the right of access. This may include information which identifies other individuals, or information which is subject to legal professional privilege. The school is also not required to disclose any student examination scripts (though examiners' comments may fall to be disclosed), nor any reference given by the school for the purposes of the education, training or employment of any individual.

Students can make subject access requests for their own personal data, provided that, in the reasonable opinion of the school, they have sufficient maturity to understand the request they are making. Students aged 13 or over are generally assumed to have this level of maturity, although this will depend on both the child and the personal data requested. All subject access requests from students will therefore be considered on a case-by-case basis.

A person with parental responsibility will generally be expected to make a subject access request on behalf of younger students. A student of any age may ask a parent or other representative to make a subject access request on his/her behalf.

The rights under the Act belong to the Data Subject. However, the school will in most cases rely on parental consent to process personal data relating to students (if consent is required under the Act) unless, given the nature of the processing in question, and the student's age and understanding, it is more appropriate to rely on the student's consent. Parents should be aware that in such situations they may not be consulted.

Students are required to respect the personal data and privacy of others, and to comply with the school's policies and the school rules.

A GDPR rights overview can be found online at <https://www.gov.im/about-the-government/departments/education-sport-and-culture/information-and-publications/gdpr-rights-overview/>

## **Reporting a personal data breach**

If you know or suspect that a personal data breach has happened you should immediately inform the Data Controller and follow their advice and further instructions.

You must retain all evidence relating to the personal data breach to enable the school to maintain a record of such breaches as required by the data protection legislation.

All data breaches must be notified to the Data Protection Officer who will determine any further action required.

The data protection legislation requires that we report to the Information Commissioner's Office (ICO) any personal data breach where there is a material risk to the rights and freedoms of the data subject and the breach must be reported without undue delay and within 72 hours of first becoming aware of the breach.

## **Data Security**

The school must ensure that appropriate security measures are taken against unlawful or unauthorised processing of personal data, and against the accidental loss of, or damage to, personal data.

The school will endeavour to ensure that all personal data held in relation to an individual is as up to date and accurate as possible. Parents must notify the School of any changes to information held about their children or them.

An individual has the right to request that inaccurate information about them is erased or corrected (subject to certain exemptions and limitations under the Act) and may do so by contacting the School in writing.

## **Enforcement**

If an individual believes that the school has not complied with this Policy or the Data Protection legislation, they should utilise the School complaints procedure or contact the Isle of Man Information Commissioner.

Further advice and information is available from:

Isle of Man Information Commissioner,  
P.O. Box 69,  
Douglas,  
Isle of Man,  
IM99 1EQ  
Telephone: +44 1624 693260  
Email: ask@inforights.im

## **Reasons for keeping records**

They are kept for the following reasons:

- for school administration purposes
- to make returns to the Department of Education Sport & Culture
- to facilitate the payment of staff

## **Format**

Data held is a combination of manual and computer records, which are stored in the office either on the DESC computer management system that is accessed by the administrator, Headteacher's computer or in the filing cabinets which have restricted access.

## **Staff Records**

- Names, addresses, contact details and contact numbers.
- Attendance records.
- Copy of job descriptions.
- Copy of performance management appraisals
- Details of in-service attended

## **Student Records**

Name, address, contact details, parent and date of birth

Names and addresses of parents/guardians and their contact details

Mother's maiden name

Country of birth  
Religious beliefs  
Membership of minority groups, where relevant  
Any relevant special conditions (special needs, health issues etc)  
Psychological assessments, where relevant.  
Standardised attainment test results  
Records of achievement  
Attendance records  
Dinner records  
School reports  
Individual Education Plans, where applicable  
Learning support records and data such as progress reports, informal tests and targets attained.  
Incident books  
Red/Yellow card books  
Assessment of student levels of attainment.  
Any correspondence with home (email/letters).  
Detention and suspension records, where applicable  
Accident Book - Records of serious injuries or accidents on school grounds or on school related activities  
Medical data and doctor details

### **Format**

These are a combination of manual and computerised records and are stored in the school office with restricted access.

Reasons for keeping such records:

- For administrative purposes
- To facilitate contact with home
- To inform better learning outcomes for pupils
- To facilitate returns to the Department of Education and Children
- To provide information for parents and teachers

### **Data Accuracy**

Data held will be as accurate and up to date as is reasonably possible. If a data subject informs the School of a change of circumstances their record will be updated as soon as is practicable.

### **Data Adequacy and Relevance**

Data held about members of the school community will be adequate, relevant and not excessive to the purpose for holding the data.

### **Retention of data**

Data held about individuals will not be kept for longer than necessary for the purposes registered.

PUPILS:

Data relating to pupil attainment and achievement will be collated and passed on to the next cohort teacher each year.

Pupil books will be given to pupils to take home at the end of each academic year.

Assessment notes for pupils will be passed on to the next teacher and will not be kept longer than 1 year after the pupil has left school.

School Accident book – 6 years

Attendance register must be kept for 75 years

Letters from parents – 1 year after receipt

Permission slips – 1 week after the event

Audio, Video, Photographs – 1 year after pupil has left school

**STAFF:**

Contact details: 1 year after leaving school

Performance management reviews- 3 years

Job descriptions 2 years

### **Financial data**

Reference should be made to current financial regulations and Government policy.

School fund accounts will be kept for 6 years

Invoices and payment runs: keep current financial and previous 2 financial years.

Dinner recording sheets: keep current financial year and previous financial year.

### **CCTV**

Several CCTV cameras record video images of areas surrounding the school building. These images are retained for one month.

### **Disposal of Confidential Waste**

Confidential waste is either shredded in school or disposed of using Storall Confidential Waste Bin Disposal facility.

### **Subject data requests.**

All staff, parents and other users have a right to access certain personal data being kept about them or their child either on computer or in certain files. Any person who wishes to exercise this right should complete the Subject Access Request Form and submit it to the Designated Data Controller.

The School will make a charge of £10 on each occasion that access is requested.

The School aims to comply with requests for access to personal information as quickly as possible, but will ensure that it is provided within 1 month.

Policy review: September 2024