



Data Protection and Freedom of Information Publication Schedule

The Wherry School Data Protection Policy 2016-18 and Freedom of Information Publication Scheme 2017-19

Statement of Intent

It is our intention to respect the privacy of children, their families and staff, while ensuring that they are provided with a high standard of education and a safe and secure environment in which to grow and learn.

Note The release of information about a child or family to a person who is not authorised to know could (and in many cases will) be a criminal offence. If you are in any doubt as to whether you should disclose information speak to the Principal first.

Legal Framework

The data protection act 1998 is relevant:

http://www.ico.gov.uk/for_organisations/data_protection.aspx

The Wherry School collects and uses personal information (referred to in the Data Protection Act as personal data) about staff, pupils, parents and other individuals who come into contact with the school. This information is gathered in order to enable the provision of education and other associated functions. In addition, the school may be required by law to collect, use and share certain information.

The school is registered as a Data Controller, with the Information Commissioner's Office (ICO). Details are available on the ICO website.

The school issues a Privacy Notice to all pupils/parents, when children join the school (annually September), this summarises the information held on pupils, why it is held and the other organisations to whom it may be passed on to – a review document will be sent to parents/carers if required.

Purpose

This policy sets out how the school deals with personal information correctly and securely and in accordance with the Data Protection Act 1998, and other related legislation. This policy applies to all personal information however it is collected, used, recorded and stored and whether it is held on paper or electronically. All school staff and governors involved with the collection, use, processing or disclosure of personal data will be aware of their duties and responsibilities and will adhere to this policy.

What is Personal Information/ data?

Personal information or data is information which relates to a living individual who can be identified from that data, or from that data in addition to other information available to them. Personal data includes (but is not limited to) an individual's, name, address, date of birth, photograph, bank details and other information that identifies them.

The storage (for example excel spread sheets or word documents), use or transmission of information by electronic means (including email and social networking sites) – Data Protection

At The Wherry School a good rule of thumb – “treat electronic data or information, whatever form it may be in, in exactly the same way you would treat confidential paperwork or verbal information.”

Data Protection Principles

The Data Protection Act 1998 establishes eight principles that must be adhered to at all times:

- Personal data shall be processed fairly and lawfully;
- Personal data shall be obtained only for one or more specified and lawful purposes;
- Personal data shall be adequate, relevant and not excessive;



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- Personal data shall be accurate and where necessary, kept up to date;
- Personal data processed for any purpose shall not be kept for longer than is necessary for that purpose or those purposes;
- Personal data shall be processed in accordance with the rights of data subjects under the Data Protection Act 1998;
- Personal data shall be kept secure i.e. protected by an appropriate degree of security;
- 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 data protection.

Commitment

The school is committed to maintaining the above principles at all times. Therefore the school will:

- Inform individuals why personal information is being collected.
- Inform individuals when their information is shared, and why and with whom unless the Data Protection Act provides a reason not to do this.
- Check the accuracy of the information it holds and review it at regular intervals.
- Ensure that only authorised personnel have access to the personal information whatever medium (paper or electronic) it is stored in.
- Ensure that clear and robust safeguards are in place to ensure personal information is kept securely and to protect personal information from loss, theft and unauthorised disclosure, irrespective of the format in which it is recorded.
- Ensure that personal information is not retained longer than it is needed. Ensure that when information is destroyed that it is done so appropriately and securely.
- Share personal information with others only when it is legally appropriate to do so.
- Comply with the duty to respond to requests for access to personal information, known as Subject Access Requests.
- Ensure that personal information is not transferred outside the EEA without the appropriate safeguards
- Ensure all staff and governors are aware of and understand these policies and procedures.

DEFINITION OF CONFIDENTIALITY

Confidentiality is defined as 'something which is spoken or given in private, entrusted with another's secret affairs'.

The confider is asking for the content of the conversation to be kept secret. Anyone offering **absolute confidentiality** to someone else would be offering to keep the content of his or her conversation completely secret and discuss it with no-one. In practise there are few circumstances where absolute confidentiality is offered in our school. We strive to strike a balance between ensuring the safety, well-being and protection of our pupils and staff, ensuring there is an ethos of trust where pupils and staff can ask for help when they need it and ensuring that when it is essential to share personal information, child protection issues and good practice are followed.

This means that in most cases what is offered is limited confidentiality.

Disclosure of the content of a conversation could be discussed with professional colleagues, but the confider would not be identified except in certain circumstances. Staff should make it clear that there are limits to confidentiality at the beginning of the conversation. These limits relate to ensuring children's safety and well-being. The pupil will be informed when a confidence has to be broken for this reason and be involved in the information sharing where possible.

All involved with The Wherry School apply the good rule of thumb regarding confidentiality: "Speak to the Principal or Vice-Principal first" – at the very least this will allow you time to think and seek the advice of another individual. Never disclose information about a pupil or family unless you are certain and consider



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carefully where you are discussing sensitive information, e.g. in the staffroom – do we have visitors or volunteers present?

The same applies to emails and social networking. Staff should NEVER discuss pupils or families in personal emails or on social networking sites. Different levels of confidentiality are appropriate for different circumstances:

- In the classroom in the course of a lesson given by a member of teaching staff or an outside visitor including health professionals - Careful thought needs to be given to the content of the lesson setting the climate and establishing ground rules to ensure confidential disclosures are not made. It should be made clear to pupils that this is not the time or place to disclose confidential personal information.
- When a health professional is contributing to a school's health education programme in a classroom setting, they are working with the same boundaries of confidentiality as a teacher. (It is the class teachers' responsibility to ensure they know these guidelines.)
- One-to-one disclosures to members of school staff - It is essential all members of staff know the limits of the confidentiality they can offer to both pupils and parents and carers and any required actions and sources of further support or help available both for the pupil or parent/carer, within the school and from other agencies where appropriate. It is standard practice at The Wherry School that all staff encourage pupils to discuss different issues with their parents or carers and vice versa. However, the needs of the pupil are paramount and, in exceptional circumstances, the school staff will not **automatically** share information about the pupil with his/her parents if it is not considered to be in the child's best interests.
- Disclosures to an outside professional operating a confidential service in the school - Parents are always informed and their permission is sought before children receive support from outside professionals.

Supporting documentation

Please refer to the following documents in support of this policy:

- Working Together to Safeguard Children 2016
- School Code of Conduct
- Sex Education Policy
- Safeguarding (including Child Protection Policy)
- Disability and Equalities Policy

Subject Access Rights (SARs)

Individuals have a right to access any personal data relating to them which are held by the school. Any individual wishing to exercise this right should apply in writing to their Head of House.

Any member of staff receiving a SAR should forward this to the Head of House. The school reserves the right to charge a fee for data subject access requests (currently £25).

Management Arrangements

The Wherry School will ensure that:

- the Principal holds specific responsibility for data protection within the school;
- everyone managing and handling personal information understands that they are responsible for following good data protection practice;
- everyone managing and handling personal information is appropriately trained to do so;
- everyone managing and handling personal information is appropriately supervised
- anyone wanting to make enquiries about handling personal information knows what to do;
- queries about handling personal information are dealt with promptly and courteously;
- methods of handling personal information are regularly assessed and evaluated;
- records of personal information will not be kept for longer than is necessary, and will follow the guidance on records retention issued by the local authority.



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Complaints

Complaints will be dealt with in accordance with the school's complaints statement. Complaints relating to the handling of personal information may be referred to the Information Commissioner who can be contacted at Wycliffe House,
Water Lane
Wilmslow
Cheshire
SK9 5AF
or at www.ico.gov.uk

PRIVACY NOTICE

Privacy Notice - Data Protection Act 1998

The Wherry School is the data controller for the purposes of the Data Protection Act. We collect information from you and may receive information about you from your previous school, Norfolk County Council and the Learning Records Service. We hold this personal data and use it to:

- Support teaching and learning;
- Monitor and report on an individual child's progress;
- Provide appropriate pastoral care;
- Statistical forecasting and planning; and
- Assess how well your school is doing.

This information includes your contact details, national curriculum assessment results, attendance information, modes of travel and personal characteristics such as your ethnic group, any special educational needs and relevant medical information.

We will not give information about any child to anyone outside the school without specific consent unless the law allows us to. We follow the Norfolk CC policy on Information Sharing & Confidentiality: we are required by law to pass some information about you to the Local Authority and the Department for Education (DfE). If you want to see a copy of the information about your child that we hold and/or share, please contact the Principal, or their nominated representative in school.

If you require more information about how the DfE store and use your information, then please go to the following website:

For the DfE:

<http://webarchive.nationalarchives.gov.uk/20140111034813/http://www.education.gov.uk/b212337/datause/researchandstatistics/datatdatam/b00212337/datause>

If you are unable to access these websites please contact the DfE as follows:

Public Communications Unit
Department for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT

Website: www.education.gov.uk

email: <http://www.education.gov.uk/help/contactus>

Telephone: 0370 000 2288



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Contacts

If you have any enquires in relation to this policy, please contact The School Data Manager, Rachel Quick, who will also act as the contact point for any subject access requests

Children and Young People over 13

Once a child is aged 13 or over, we are required by law to pass on certain information to the providers of youth support services in your area. This is the local authority support service for young people aged 13 to 19 in England.

However, until a child is aged 16 or older, your parent(s) can ask that no information beyond your name, address and date of birth (and their name and address) be passed on to the youth services provider. This right transfers to an individual on their 16th birthday.

For more information about young peoples' services, please go to the Directgov Young People page at www.direct.gov.uk/en/YoungPeople/index.htm.

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Review

This policy will be reviewed as it is deemed appropriate, but no less frequently than every 2years. The policy review will be undertaken by the Headteacher, or nominated representative.



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Freedom of Information Publication Scheme 2017-19

Publication scheme on information available under the freedom of information act 2000

The Governing Body is responsible for maintenance of this scheme.

1. 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 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 either 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.

2. Aims and Objectives

- **Effective Learning:** To provide effective learning experiences appropriate to the individual and to enable all individuals to fulfil their potential.
- **Secure Environment:** To provide a secure and caring environment for all the students.
- **Work Attitudes:** To encourage the students to develop enthusiasm, self-confidence, a spirit of enquiry, a pride in their work and the ability to work with others.
- **Parental Involvement:** To foster a sense of partnership between home and school so that parents will feel committed and involved in the life of the school.
- **Respect:** To promote self-respect and respect for other people, regardless of race, gender or religious belief.
- **Broad and Balanced Curriculum:** To help students acquire a range of skills, knowledge and understanding that is broad and balanced in nature and relevant to their personal growth and to their adult life and to prepare them for life in the 21st century.
- **Community Awareness:** To increase students' awareness of their role and responsibilities in the community and to develop constructive links with the community.
- **Progression through Education:** To facilitate the child's progress between nursery, primary and secondary phases.

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

3. Categories of Information Published

The publication scheme guides you to information which we currently publish, are available on request subject to safeguards regarding confidentiality or which we will publish in the future.

- **School Prospectus** - Information published in the School Prospectus
- **Governors' Documents** - Information published for and by the Governing Body
- **Students and Curriculum** - Information about policies that relate to students and the school curriculum



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- **School Policies and Other Information Related to the School** - Information about policies that relate to the school in general

4. How to Obtain or Request Information

If you require a paper version of any of the documents within this scheme, please contact the school by telephone, fax, e-mail or letter. Contact details are set out below:

The Wherry School:

Address: 280, Hall Road, Norwich, Norfolk NR1 2GB

Tel: 07557 196745 (to September 2017)

e-mail: office@thewherryschool.co.uk

Please clearly mark any correspondence **“PUBLICATION SCHEME REQUEST”**

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.

5. 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. Single copies of information covered by this publication are provided free unless stated otherwise in section 6. 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, we will let you know the cost before fulfilling your request.

6 Information Currently Published*

**Some information may be confidential or otherwise exempt from the publication by law – we cannot therefore publish this*

Class	Description
School Prospectus – about our school	<ul style="list-style-type: none"> • Information about aspects of the curriculum – including teaching reading, phonics and mathematics • Information about the school's policy on providing for students with special educational needs a description of the policies relating to disabled students, including facilities to improve access and the accessibility plan. • National Curriculum assessment results for appropriate Key Stages, with national summary figures • The arrangements for visits to the school by prospective parents • The number of places for students of normal age of entry
Instrument of	<ul style="list-style-type: none"> • The name, address and telephone number of the school and



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<p>Government</p>	<p>the type of school</p> <ul style="list-style-type: none"> • The category of the school • The names of the Principal and Chair of Governors • If the school has a religious character, a description of the ethos • The date the instrument takes effect • Information on the school policy on admissions • A statement of the school's ethos and values • Any curriculum circulars and statutory instruments
<p>Student and Curriculum Policies</p>	<ul style="list-style-type: none"> • Curriculum Plans • Sex and Relationship Education • Special Educational Needs and Disability • Accessibility Plan • Single Equality Scheme • Behaviour Management • Child Protection Policy
<p>School Policies and Additional Information</p>	<ul style="list-style-type: none"> • Ofsted report • Charging and Remissions Policy • School session times and term dates • Health and Safety Policy • Complaints Procedure • Performance Management of Staff • Staff disciplinary procedure

7. Feedback and Complaints

We welcome any comments or suggestions you may have about the scheme. If you want to make any



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comments about this publication scheme or if you require further assistance or wish to make a complaint then initially this should be addressed to the Principal at the school.

If you are not satisfied with the assistance that you get or if we have not been able to resolve your complaint and you feel that a formal complaint needs to be made, then this should be addressed to the Information Commissioner's Office. This is the organisation that ensures compliance with the Freedom of Information Act 2000 and that deals with formal complaints.

They can be contacted at:

Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

or

Enquiry/Information: 01625 545700 Website: www.informationcommissioner.gov.uk

Email: publications@ic-foi.demon.co.uk

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