

St Anne's C E Primary School
and Nursery

You are the Light of the World



**Data Protection and Data Retention
(GDPR) Policy**

Adopted by Governors: April 2022

Reviewed: September 2024

Next Review: September 2026

Introduction

The school collects and uses personal information (referred to in the General Data Protection Regulation (GDPR) 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 the Data Controller of the personal data that it collects and receives for these purposes.

The school has a Data Protection Officer, Stacey Page, who may be contacted at office@stannesprimary.worcs.sch.uk or by phoning 01299 402013.

The school issues Privacy Notices (also known as a Fair Processing Notices) to all pupils/parents and staff. These summarise the personal information held about pupils and staff, the purpose for which it is held and who it may be shared with. It also provides information about an individual's rights in respect of their personal data.

Purpose

This policy sets out how the school deals with personal information correctly and securely and in accordance with the GDPR, and other related legislation.

This policy applies to all personal information however it is collected, used, recorded and stored by the school and whether it is held on paper or electronically.

What is Personal Information/ data?

Personal information or data means any information relating to an identified or identifiable individual. An identifiable individual is one who can be identified, directly or indirectly by reference to details such as a name, an identification number, location data, an online identifier or by their physical, physiological, genetic, mental, economic, cultural or social identity. 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.

Data Protection Principles

The GDPR establishes six principles as well as a number of additional duties that must be adhered to at all times:

1. Personal data shall be processed lawfully, fairly and in a transparent manner;
2. Personal data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes (subject to exceptions for specific archiving purposes);
3. Personal data shall be adequate, relevant and limited to what is necessary to the purposes for which they are processed and not excessive;
4. Personal data shall be accurate and where necessary, kept up to date;
5. Personal data shall be kept in a form that permits the identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed;
6. Personal data shall be processed in a manner that ensures appropriate security of the personal data and against accidental loss or destruction of, or damage to, personal data.

Duties

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.

Data Controllers have a General Duty of accountability for personal data.

Commitment

The school is committed to maintaining the principles and duties in the GDPR at all times.

Therefore, the school will:

- Inform individuals of the identity and contact details of the data controller
- Inform individuals of the contact details of the Data Protection Officer
- Inform individuals of the purposes that personal information is being collected and the basis for this
- Inform individuals when their information is shared, and why and with whom unless the GDPR provides a reason not to do this
- If the school plans to transfer personal data outside the EEA the school will inform individuals and provide them with details of where they can obtain details of the safeguards for that information
- Inform individuals of their data subject rights
- Inform individuals that the individual may withdraw consent (where relevant) and that if consent is withdrawn that the school will cease processing their data although that will not affect the legality of data processed up until that point
- Provide details of the length of time an individual's data will be kept
- Should the school decide to use an individual's personal data for a different reason to that for which it was originally collected the school shall inform the individual and where necessary seek consent
- 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 that all staff and governors are aware of and understand these policies and procedures

Disposal of Data

The School will always ensure that records containing personal and/or sensitive data are disposed of safely and securely.

For example, any paper records due to be disposed of will be securely shredded, either on site, or through an approved third-party disposal service. When using a third party, it is the school's responsibility to ensure that the company guarantees the records are disposed of securely.

Any digital records containing personal data will be deleted using the internal erasure procedure of the relevant software. For example, records stored on a Windows laptop would be deleted using the Windows delete functions. It is up to individuals to make sure they have deleted personal data from devices once that data is no longer relevant, or the device is being passed on.

When disposing of sensitive personal data, the school will use a file-wiping utility to remove the sensitive personal data, preventing the possible retrieval if erased, using internal procedures.

Data Retention Schedule – as per GOV.UK.COM

The following records have statutory retention periods.

You should decide how long you need to keep other records, in line with the business need of your school.

Document type	Retention period	Action at end of retention period
Pupil records		
Primary school pupil records	Until the pupil leaves the school.	Transfer to secondary school or other primary school when the pupil leaves.
Secondary school pupil records	Until the pupil's 25th birthday.	Dispose of records securely. If the pupil leaves to go to another school, transfer the records to that school.
Child protection records		
Child protection files	Until the child's 25th birthday. If the file relates to child sexual abuse, retain until the child's 75th birthday.	Dispose of records securely. Child protection files should be passed on to any new school a child attends. This should be transferred as separately from the main pupil file.
Allegations of child protection against a member of staff, including unfounded allegations	Until the staff member's normal retirement age, or 10 years from the date of the allegation, whichever is later.	Dispose of records securely.
Finance records		
Contracts	6 years from the last payment on the contract.	Dispose of records securely.
Debtor's records	6 years from end of the financial year.	Dispose of records securely.
VAT records	6 years from finance year end.	Dispose of records securely.
Health and safety records		
Accessibility plans	Life of plan plus 6 years.	Dispose of records securely.
Accident records	3 years from the date of the accident.	Dispose of records securely.
Monitoring exposure to substances hazardous to health, including asbestos	5 years.	Dispose of records securely.
Health surveillance records	40 years.	Dispose of records securely.

Other health records of staff	While the worker is employed in your school.	Dispose of records securely.
Fire assessments	Life of the risk assessment plus 6 years.	Dispose of records securely.

Governance records		
Admissions	6 years from the admission date.	Dispose of records securely.
Attendance registers	6 years from the date of entry.	Dispose of records securely.
Annual governors' report	10 years.	Dispose of records securely.
Curricular record	At least 1 year.	Dispose of records securely.
Directors – disqualification	15 years from the date of disqualification.	Dispose of records securely.
Records of educational visits	10 years from the date of the visit. If there was an incident on the visit, retain the permission slips for all pupils and the incident report in the pupil record.	Dispose of records securely.
School vehicles	6 years from the disposal of the vehicle.	Dispose of records securely.
Statutory registers and compliance	Retention periods vary, for example:	Dispose of records securely.
	Memorandums of understanding should be retained for the life of the academy plus 6 years.	
	Annual reports should be retained for 10 years from the date of the report.	
	Board meeting records should be retained for 10 years from the date of the meeting.	
Property records		
Document type	Retention period	Action at end of retention period
Maintenance records	6 years from finance year end.	Dispose of records securely.
Title deeds	12 years from end of deed.	Dispose of records securely.
Staff records		
Copies of DBS certificates	6 months from date of recruitment.	Dispose of records securely.
Maternity pay records	3 years after the end of the tax year in which the maternity pay period ends.	Dispose of records securely.
Pay records	3 years from the end of the tax year they relate to.	Dispose of records securely.
Personnel files	6 years from termination of employment.	Dispose of records securely.
Retirement benefits	A minimum of 6 years from the end of the year in which the accounts were signed.	Dispose of records securely.
Other		
Emails	Emails will not be kept for longer than 36 months. Any emails containing important pupil information will be saved securely but routine emails can be deleted as required.	Dispose of records securely.

Complaints

Complaints will be dealt with in accordance with the school's complaints policy. 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.

Review

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

Contacts

If you have any enquires in relation to this policy, please contact the Headteacher who will also act as the contact point for any subject access requests.