

Impington Village College

Data Protection Policy

Introduction:

The Data Protection Act 1998 establishes a framework of rights and duties which are designed to safeguard personal data. This framework balances the legitimate needs of organisations to collect and use personal data for business and other purposes against the right of individuals to respect for the privacy of their personal details.

This policy does not seek to convey the whole legislation but highlight the main provisions within which the college will operate. Detailed information can be found from the Information Commissioner's Office.

Commitment to the Protection of Personal Information:

Impington Village College needs to collect and use certain types of information about people with whom it deals with in order to operate effectively. These include students, parents, guardians, staff, governors, suppliers and others with whom it communicates. In addition it is required by law to collect and share certain types of information to comply with the requirements of central government. (e.g. Census information)

Impington Village College regards the lawful and correct treatment of personal information as a high priority and will comply with guidance and recommendations from the Local Authority which sets out standards in addition to the Information Commissioner's Office

Data Protection principles:

Schedule 1 to the Data Protection Act lists the data protection principles in the following terms:

1. Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless –
 - (a) at least one of the conditions in Schedule 2 is met, and
 - (b) in the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met.
2. Personal data 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.

3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
4. Personal data shall be accurate and, where necessary, kept up to date.
5. Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
6. Personal data shall be processed in accordance with the rights of data subjects under Data Protection Act 1998.
7. 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.
8. 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.

Data/Subject Access Requests:

One of the main rights which the Act gives to individuals is the right of access to their personal data. An individual may send IVC a "subject access request" requiring IVC to tell them whether we are processing their personal data and, if so, to provide them with a copy and with certain other information. Impington Village College will respond to requests for data within 40 calendar days of receipt of a written request. The response will be in writing. Any exemptions as per the Data protection Act will be refused. Examples are listed below:

- personal data relating to an individual's physical or mental health. This applies only in certain circumstances and only if granting subject access would be likely to cause serious harm to the physical or mental health of the individual or someone else;
- personal data that consists of educational records or relates to social work;
- personal data relating to human fertilisation and embryology, adoption records and reports, statements of a child's special educational needs and parental order records and reports
- examination marks and personal data contained in examination scripts

Sharing Data with Third Parties (Managing information across partnerships MIAP)

IVC can establish a MIAP with organisations that it wishes to share data with but will work in accordance with the Framework and Agreement for the Sharing of

Data between MIAP systems and MIAP Group members, including Prescribed Persons as defined by Section 537A of the Education Act 1996 (as amended). Any such partnership will require all parties to enter into the agreement as shown in Appendix A.

Confidentiality of MIAP information and data is expected at all times.

The sharing of personal and sensitive personal data with private (third party) organisations should only be performed if that organisation is doing specific work on behalf of the MIAP group member, and will not be used for any other purpose. If a MIAP member wishes to share personal and sensitive personal data with a third party, then they must be aware of the **consent given by the individual concerned, and if necessary obtain consent from individuals** as to the new purpose to which the data are to be put.

This framework does not encourage any organisations to supply shared personal or sensitive personal data to third parties for sales or marketing purposes although it is recognised that some MIAP members may have requirements to share data with commercial organisations. It is the MIAP member's responsibility in these circumstances to ensure that any agreements made are done so to ensure the fullest possible security of personal and sensitive personal data, and to the satisfaction of the other MIAP members.

This will relate to the sharing of particular information when students are moving between IVC and further education colleges who have requested personal information such as SEN status.

Complaints about the handling of Data:

All complaints about the handling of data will be carefully considered.

IVC agrees to provide a reasoned response to all complaints. If it is decided that the complaint is upheld IVC agrees to stop, or change, what the college is doing with an individual's personal data. In particular, to:

- correct or delete information about an individual which is inaccurate;
- stop processing their data completely or in a particular way (depending upon the circumstances).

Privacy Notice:

One of the requirements of the Act's fair processing provisions is that certain information is given to the individuals concerned. The oral or written statement that individuals are given when information about them is collected is often called a "privacy notice" or a "fair processing notice".

Impington Village College will issue a privacy notice to all parents, guardians stating clearly what we need to process and for what purposes and any extra information we need to give individuals.

Security:

Impington Village College undertakes to take all reasonable security measures it can to ensure the safety and security of data.

Encryption of all data will not be undertaken unless that data is transported beyond the college boundaries. In such circumstances all equipment holding such data must have additional security such as encrypted passwords added before it can leave the college.

Information automatically collected by the Department for Schools families and Children travels within the security levels set by the Local Authority for collection of Data.

Requirements of the Information Commissioners Office:

Anyone processing personal data will usually have to notify the Information Commissioner about this. Failure to notify is a criminal offence.

Impington Village College registration is confirmed as below:

Registration Number: Z3126960

Date Registered: 2 April 2012 Registration Expires: 1 April 2014

The main purpose of notification and the public register is transparency and openness. It is a basic principle of data protection that the public should know (or be able to find out) who is processing personal data, plus other details about the processing (such as why it is being carried out).

However, it is not intended (nor practical) that the register should contain very detailed information about an organisation's processing. The aim is to keep the content general, with enough detail to give an overall picture of the processing.

Dates, Frequencies, Format and Authorised Personnel

Date from when agreement will be in force: _____

Date when agreement will cease: _____

Date when the processing of the shared data will cease: _____

Frequency, or specific dates that data will be supplied:

Agreed format for the transmission of the data: _____

Personnel authorised to receive the data:

The signatures and details below must be completed by personnel authorised to request and provide data on behalf of the organisations detailed.

On behalf of the requesting organisation specified below, I hereby apply for access to personal and/or sensitive personal data held by the providing organisation above. Our organisation agrees to be bound by the terms of the "Managing Information Across Partners Data Sharing Framework" document.

I declare that we have given notification to the Information Commissioner and registered the purposes for which the organisation may process data, and that the registration is up-to-date and complete.

Signed..... Date

Name.....

Position.....

Organisation

Address.....

.....
.....

Postcode..... Telephone.....

Data Protection Registration No.....

On behalf of the provider organisation specified below, I hereby agree that the information detailed in this agreement will be shared with the requesting organisation above. Our organisation agrees to be bound by the terms of the "Managing Information Across Partners Data Sharing Framework" document.

I declare that the information requested and it's proposed purposes have been considered and the rationale of access by the requesting organisation has been agreed.

Signed..... Date

Name.....

Position.....

Organisation

Address.....
.....
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Postcode..... Telephone.....

Data Protection Registration No.....