



Khalsa Primary School
Faith inspired education



DATA PROTECTION POLICY

Policy Title	Data Protection Policy
Approval Date:	Spring 2019

Khalsa Primary School are committed to compliance with all relevant EU and Member State laws in respect of personal data, and the protection of the “rights and freedoms” of individuals whose information Khalsa Primary School collects and processes in accordance with the General Data Protection Regulation (GDPR). This policy sets out how we handle the personal data of our pupils, staff, parents and third parties and the precautions we take in order to protect this data. All members of staff are required to familiarise themselves with the content of this policy and adhere with the provisions set out in it. Failure to comply with this policy is considered an offence which may result in disciplinary action, according to the school's disciplinary policy.

General Data Protection Regulations Act (2018)

The General Data Protection Regulation 2018 replaces the EU Data Protection Directive of 1995 and supersedes the laws of individual Member States that were developed in compliance with the Data Protection Directive 95/46/EC. Its purpose is to protect the “rights and freedoms” of natural persons (i.e. living individuals) and to ensure that personal data is not processed without their knowledge, and, wherever possible, that it is processed with their consent.

Key Definitions

Personal data – any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

Special categories of personal data – personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade-union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

Data controller – the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law.

Processing – any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

Data subject – any living individual who is the subject of personal data held by an organisation.

Personal data breach – a breach of security leading to the accidental, or unlawful, destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or

otherwise processed. There is an obligation on the controller to report personal data breaches to the supervisory authority and where the breach is likely to adversely affect the personal data or privacy of the data subject.

Data subject consent - means any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data.

Child - Although, in the UK a child is considered to be anyone aged under 18, if you are relying on consent as your lawful basis for processing, in the UK the child may provide their own consent when they are aged 13 or over. If the child is under 13, any consent required will need to be obtained from the parent or custodian.

Third party – a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data.

Data Protection Impact Assessment (DPIAs) – DPIA's are a tool used to identify risks in data processing activities with a view to reducing them.

Khalsa Primary School adhere to the key principles of GDPR when processing personal data, as detailed below.

1. Personal data must be processed lawfully, fairly and in a transparent manner;
2. Personal data must be collected only for specified, explicit and legitimate purposes;
3. Personal data must be adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed;
4. Personal data must be accurate and, where necessary, kept up to date;
5. Personal data must not be kept in a form which permits identification of data subjects for longer than is necessary for the purposes for which the data is processed; and
6. Personal data must be 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, destruction or damage.

In order to achieve this, Khalsa Primary School has implemented the following policies and processes which must be adhered to at all times.

Information Asset Register

Khalsa Primary School has established a data inventory and data flow process as part of its approach to address risks throughout its GDPR compliance project. The Information Asset register determines

1. The data held by the school
2. Who has access to the data and how access is controlled
3. The content and purpose of data
4. Who this data is shared with
5. Legal basis for lawful processing
6. Details of consent where needed

7. Data Retention periods and schedules
8. Third party details of people we share data with
9. Data Protection Impact Assessments

Our Business Manager is responsible for the maintenance of this register and this will be reviewed on a regular basis by the DPO.

Sharing data with Third Parties

Khalsa Primary School will not share personal data with third parties unless certain safeguards and contractual arrangements have been put in place. These include–

1. The third party requires the information in order to carry out the contracted service
2. Sharing the data complies with the published privacy notice and if required, consent is obtained.
3. The transfer complies with any applicable cross-border transfer restrictions
4. The third party has signed a non-disclosure agreement.

Data Subject Rights and Requests

All employees must ensure that personal data is not disclosed to unauthorised third parties which includes family members, friends etc. Staff should exercise caution when asked to disclose personal data on an individual. Data Subject Access Requests must be actioned in line with Khalsa Primary School's data subject request procedures. Please see the *Data Subject Request procedures* for more detail.

Training

The school will ensure that all staff that handle data have undergone adequate training to enable them to comply with privacy laws and this training will be refreshed at least annually. All new starters will also undergo data protection and IT security training. The school will also ensure that after the termination of employment, staff and contractors are debriefed on their post-employment confidentiality responsibilities.

Data Protection Officer (DPO)

Our Data Protection Officer (DPO) is responsible for monitoring internal compliance, informing and advising on data protection obligations, providing advice regarding DPIAs and acting as a contact point for data subjects and the supervisory authorities.

If you have any questions about the operation of this policy or the GDPR or if you have any concerns about the protection of data within the organisation, please contact the DPO –

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