

Le Bocage International School

Data Protection Policy 2021

*1st Edition 2021
Ratified by Board of Directors:
To be reviewed bi-annually by the Head of School & Business Manager*

LBIS Mission Statement

LBIS offers a holistic, student-centred secondary international education developing principled and balanced global citizens who are equipped to collaborate and overcome challenges in a fast changing multicultural world

Introductory Statement

This policy has been written in line with 2018 EU Regulations on GDPR.

In accordance with Article 5 of the GDPR, LBIS will ensure that personal data shall be:

- a) processed lawfully, fairly and in a transparent manner in relation to individuals;
- b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall, subject to measures respecting the principle of 'data minimisation', not be considered to be incompatible with the initial purposes;
- c) adequate, relevant and limited to what is necessary in relation to the purpose for which they are processed;
- d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals, and again subject to the 'data minimisation' principle; and
- f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisation measures.

The policy applies to all school staff, the Board of Directors, parents/guardians, students and others (including prospective or potential students and their parents/guardians and applicants for staff positions within the school) insofar as the measures under the policy relate to them. Data will be stored securely, so that confidential information is protected in compliance with relevant legislation. This policy sets out the manner in which personal data and sensitive personal data will be protected by the school.

Data Protection Principles

The school is a *data controller* of *personal data* relating to its past, present and future staff, students, parents/guardians and other members of the school community. As such, the school is obliged to comply with the principles of data protection set out in the GDPR which can be summarised as follows:

- **Obtain and process *Personal Data* fairly:** Information on students is gathered with the help of parents/guardians and staff. Information is also transferred from their previous schools. In relation to information the school holds on other individuals (members of staff, individuals applying for positions within the School, parents/guardians of students etc.), the information is generally furnished by the individuals themselves with full and informed consent and compiled during the course of their employment or contact with the School. The information will be obtained and processed fairly.
- **Keep it only for one or more specified and explicit lawful purposes:** The School will inform individuals of the reasons they collect their data and will inform individuals of the uses to which their data will be put. All information is kept with the best interest of the individual in mind at all times.
- **Process it only in ways compatible with the purposes for which it was given initially:** Data relating to individuals will only be processed in a manner consistent with the purposes for which it was gathered. Information will only be disclosed on a need-to-know basis, and access to it will be strictly controlled.
- **Keep *Personal Data* safe and secure:** Only those with a genuine reason for doing so may gain access to the information. Sensitive Personal Data is securely stored under lock and key in the case of manual records and protected with firewall software and password protection in the case of electronically stored data.
- **Keep Personal Data accurate, complete and up-to-date:** Students, parents/guardians, and/or staff should inform the school of any change which the school should make to their personal data and/or sensitive personal data to ensure that the individual's data is accurate, complete and up-to-date. Once informed, the school will make all necessary changes to the relevant records. Records must not be altered or destroyed without proper authorisation. If alteration/correction is required, then a note of the fact of such authorisation and the alteration(s) to be made to any original record/documentation should be dated and signed by the person making that change.
- **Ensure that it is adequate, relevant and not excessive:** Only the necessary amount of information required to provide an adequate service will be gathered and stored.
- **Retain it no longer than is necessary for the specified purpose or purposes for which it was given:** As a general rule, the information will be kept for the duration of the individual's time in the school. The school may also retain the data relating to an individual for a longer length of time for the purposes of complying with relevant provisions of law and or/defending a claim under employment legislation and/or contract and/or civil law.

- **Provide a copy of their *personal data* to any individual, on request:** Individuals have a right to know what personal data/sensitive personal data is held about them, by whom, and the purpose for which it is held.

Scope

Purpose of the Policy: The purpose of this policy is to assist the school to meet its statutory obligations, to explain those obligations to School staff, and to inform staff, students and their parents/guardians how their data will be treated.

The policy applies to all school staff, the board of management, parents/guardians, students and others (including prospective or potential students and their parents/guardians, and applicants for staff positions within the school) insofar as the school handles or processes their *Personal Data* in the course of their dealings with the school.

Definition of Data Protection Terms

In order to properly understand the school's obligations, there are some key terms which should be understood by all relevant school staff:

Data means information in a form that can be processed. It includes both *automated data* (e.g. electronic data) and *manual data*. *Automated data* means any information on computer, or information recorded with the intention that it be *processed* by computer. *Manual data* means information that is kept/recorded as part of a *relevant filing system* or with the intention that it form part of a relevant filing system.

Relevant filing system means any set of information that, while not computerised, is structured by reference to individuals or by reference to criteria relating to individuals, so that specific information relating to a particular individual is readily, quickly and easily accessible.

Personal Data means data relating to a living individual who is or can be identified either from the data or from the data in conjunction with other information that is in, or is likely to come into, the possession of the Data Controller (i.e. the school).

Sensitive Personal Data refers to *Personal Data* regarding a person's

- racial or ethnic origin, political opinions or religious or philosophical beliefs
- membership of a trade union
- physical or mental health or condition or sexual life
- commission or alleged commission of any offence or
- any proceedings for an offence committed or alleged to have been committed by the person, the disposal of such proceedings or the sentence of any court in such proceedings, criminal convictions or the alleged commission of an offence.

Data Controller for the purpose of this policy is the Business Manager at LBIS.

Rationale

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In addition to its legal obligations under the broad remit of educational legislation, the school has a legal responsibility to comply with the GDPR, 2018.

This policy explains what sort of data is collected, why it is collected, for how long it will be stored and with whom it will be shared. As more and more data is generated electronically and as technological advances enable the easy distribution and retention of this data, the challenge of meeting the school's legal responsibilities has increased.

The school takes its responsibilities under data protection law very seriously and wishes to put in place safe practices to safeguard individual's personal data. It is also recognised that recording factual information accurately and storing it safely facilitates an evaluation of the information, enabling the Head of School and the Board of Directors to make decisions in respect of the efficient running of the School. The efficient handling of data is also essential to ensure that there is consistency and continuity where there are changes of personnel within the school and school Board.

Relationship to characteristic spirit of the School

Le Bocage International School aims to:

- promote and nurture caring, inquisitive and principled behaviour¹
- treat all children with respect and provide safe and supportive interactions that foster children's social, emotional, and academic development²
- be a safe haven for students³

We aim to achieve these goals while respecting the privacy and data protection rights of students, staff, parents/guardians and others who interact with us. The school wishes to achieve these aims/missions while fully respecting individuals' rights to privacy and rights under the GDPR.

Personal Data

The *Personal Data* records held by the school include:

A. Staff records:

(a) **Categories of staff data:** As well as existing members of staff (and former members of staff), these records may also relate to applicants applying for positions within the school, trainee teachers and teachers under probation. These staff records may include:

- Name, address and contact details, NIC number
- Original records of application and appointment to promotion posts
- Details of approved absences (career breaks, parental leave, study leave etc.)
- Details of work record (qualifications, classes taught, subjects etc.)
- Details of any accidents/injuries sustained on school property or in connection with the staff member carrying out their school duties

¹ LBIS School Guiding Statements

² LBIS Child Protection Policy

³ LBIS Child Protection Policy

- (b) **Purposes:** Staff records are kept for the purposes of:
- the management and administration of school business (now and in the future)
 - to facilitate the payment of staff, and calculate other benefits/ entitlements (including reckonable service for the purpose of calculation of pension payments, entitlements and/or redundancy payments where relevant)
 - to facilitate pension payments in the future
 - recording promotions made (documentation relating to promotions applied for) and changes in responsibilities etc.
 - to enable the school to comply with its obligations as an employer including the preservation of a safe, efficient working and teaching environment
 - compliance with legislation relevant to the school.
- (c) **Location:** In a secure, locked filing cabinet that only personnel who are authorised to use the data can access. Employees are required to maintain the confidentiality of any data to which they have access.
- (d) **Security:** Identify the format in which these records are kept e.g. manual record (personal file within a *relevant filing system*), computer record (database) or both.

B. Student records:

- (a) **Categories of student data:** These **may** include:
- Information which may be sought and recorded at enrolment and may be collated and compiled during the course of the student's time in the school. These records may include:
 - name, address and contact details, NIC and/or passport number
 - date and place of birth
 - names and addresses of parents/guardians and their contact details (including any special arrangements with regard to guardianship, custody or access)
 - racial or ethnic origin
 - whether English is the student's first language and/or whether the student requires English language support
 - any relevant special conditions (e.g. special educational needs, health issues etc.) which may apply
 - Information on previous academic record (including reports, references, assessments and other records from any previous school(s) attended by the student
 - Psychological, psychiatric and/or medical assessments
 - Attendance records
 - Photographs and recorded images of students (including at school events and noting achievements)
 - Academic record – subjects studied, class assignments, examination results as recorded on official School reports
 - Records of significant achievements
 - Records of disciplinary issues/investigations and/or sanctions imposed
 - Other records e.g. records of any serious injuries/accidents etc.
- (b) **Purposes:** The purposes for keeping student records are:
- to enable each student to develop to their full potential
 - to comply with legislative or administrative requirements

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- to ensure that eligible students can benefit from the relevant additional teaching or financial supports
 - to enable parents/guardians to be contacted in the case of emergency or in the case of school closure, or to inform parents of their child's educational progress or to inform parents of school events etc.
 - to meet the educational, social, physical and emotional requirements of the student
 - photographs and recorded images of students are taken to celebrate school achievements, compile yearbooks, establish a school website, record school events, and to keep a record of the history of the school.
 - to ensure that the student meets the school's admission criteria
 - to furnish, when requested by the student (or their parents/guardians in the case of a student under 18 years) documentation/information/ references to third-level educational institutions and/or prospective employers
- (c) **Location:** In a secure, locked filing cabinet that only personnel who are authorised to use the data can access. Employees are required to maintain the confidentiality of any data to which they have access.
- (d) **Security:** These details are kept on a manual record (personal file within a *relevant filing system*) and/or computer record (database).

C. Board of management records:

- (a) **Categories of Board of Directors data:** These may include:
- Name, address and contact details of each member of the Board (including former members of the Board)
 - Records in relation to appointments to the Board
 - Minutes of Board of Management meetings and correspondence to the Board which may include references to particular individuals.
- (b) **Purposes:** To enable the Board to operate in accordance with the GDPR and other applicable legislation and to maintain a record of board appointments and decisions.
- (c) **Location:** In a secure, locked filing cabinet and that only personnel who are authorised to use the data can access it. Employees are required to maintain the confidentiality of any data to which they have access.
- (d) **Security:** These details are kept on a manual record (personal file within a *relevant filing system*) and/or computer record (database).

D. Other records:

The school will hold other records relating to individuals. The format in which these records will be kept are manual record (personal file within a relevant filing system), and/or computer record (database). Some examples of the type of other records which the school will hold are set out below (this list is not exhaustive):

Creditors

- (a) **Categories of data:** the school may hold some or all of the following information about creditors (some of whom are self-employed individuals):

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- name
 - address
 - contact details
 - NIC number
 - tax details
 - bank details and
 - amount paid.
- (b) **Purposes:** This information is required for routine management and administration of the school's financial affairs, including the payment of invoices, the compiling of annual financial accounts and complying with audits and investigations by the MRA.
- (c) **Location:** In a secure, locked filing cabinet that only personnel who are authorised to use the data can access. Employees are required to maintain the confidentiality of any data to which they have access.
- (d) **Security:** These details are kept on a manual record (personal file within a *relevant filing system*) and/or computer record (database).

CCTV images/recordings

- (a) **Categories:** CCTV is installed on the campus, externally (perimeter fencing) and internally (hallways, Accounts Dept. etc). These CCTV systems may record images of staff, students and members of the public who visit the premises.
- (b) **Purposes:** Safety and security of staff, students and visitors and to safeguard school property and equipment.
- (c) **Location:** Cameras are located externally and internally. Recording equipment is located in the office of the Maintenance Manager.
- (d) **Security:** Access to images/recordings is restricted to the Maintenance Manager, the Principals and the Head of School. Tapes, DVDs, hard disk recordings are retained for 28 days, except if required for the investigation of an incident.

Examination results

- (a) **Categories:** The school will hold data comprising examination results in respect of its students. These include class, mid-term, annual, continuous assessment, mock- examinations and external examination results.
- (b) **Purposes:** The main purpose for which these examination results are held is to monitor a student's progress and to provide a sound basis for advising them and their parents or guardians about subject choices and levels. The data may also be aggregated for statistical/reporting purposes, such as to compile results tables.

Location: In a secure, locked filing cabinet that only personnel who are authorised to use the data can access. Employees are required to maintain the confidentiality of any data to which they have access.

- (c) **Security:** These details are kept on a manual record (personal file within a *relevant filing system*) and/or computer record (database).

Links to other policies and to curriculum delivery

Our school policies need to be consistent with one another, within the framework of the overall School Plan. Relevant school policies already in place or being developed or reviewed, shall be examined with reference to the data protection policy and any implications which it has for them shall be addressed.

The following policies may be among those considered:

- Child Protection Policy
- Student Handbook
- Electronic Devices & Mobile Phone Policy
- Admissions/Enrolment Policy
- Learning Support Policy
- Board Policy Manual

Processing in line with data subject's rights

Data in this school will be processed in line with the data subjects' rights.

Data subjects have a right to:

- (a) Request access to any data held about them by a data controller
- (b) Prevent the processing of their data for direct-marketing purposes
- (c) Ask to have inaccurate data amended
- (d) Prevent processing that is likely to cause damage or distress to themselves or anyone else.

Providing information over the phone

In our school, any employee dealing with telephone enquiries should be careful about disclosing any personal information held by the school over the phone. In particular the employee should:

- Check the identity of the caller to ensure that information is only given to a person who is entitled to that information
- Suggest that the caller put their request in writing if the employee is not sure about the identity of the caller and in circumstances where the identity of the caller cannot be verified
- Refer the request to the Business Manager/Principal/Form Coordinator for assistance in difficult situations. No employee should feel forced into disclosing personal information.

Implementation arrangements, roles and responsibilities

In our school the Business Manager is the data controller and the Head of School will be assigned the role of co-ordinating implementation of this GDPR Policy and for

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ensuring that staff who handle or have access to *Personal Data* are familiar with their data protection responsibilities.

The following personnel have responsibility for implementing the Data Protection Policy:

Name	Responsibility
Business Manager:	Data Controller
Head of School:	Implementation of Policy
Teaching personnel:	Awareness of responsibilities
Administrative personnel:	Security, confidentiality
IT personnel:	Security, encryption, confidentiality

Ratification & communication

When the Data Protection Policy has been ratified by the Board, it becomes the school's agreed Data Protection Policy. It should then be dated and circulated within the school community. The entire staff must be familiar with the Data Protection Policy and ready to put it into practice in accordance with the specified implementation arrangements. It is important that all concerned are made aware of any changes implied in recording information on students, staff and others in the school community.

Parents/guardians and students should be informed of the Data Protection Policy from the time of enrolment of the student e.g. by including the Data Protection Policy as part of the online enrolment on Open Apply.

Monitoring the implementation of the policy

The implementation of the policy shall be monitored by the Head of School and the Business Manager.

At least one annual report should be issued to the Board of Directors to confirm that the actions/measures set down under the policy are being implemented.

Reviewing and evaluating the policy

The Policy should be reviewed and evaluated at certain pre-determined times and as necessary. On-going review and evaluation should take cognisance of and changing information or guidelines, legislation and feedback from parents/guardians, students, school staff and others. The Policy should be revised as necessary in the light of such review and evaluation and within the framework of school planning.

Signed:

For and behalf of the LBIS Board of Directors

Bibliography

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Appendix 1 – Links to resources and guidance

Guidance on GDPR

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr>

http://ico.org.uk/for_organisations/sector_guides/education

Specific information for schools is available here. This includes links to guides from the DfE

http://ico.org.uk/for_organisations/data_protections/topic_guides/cctv

Specific information about CCTV

Information and Records Management Society – Schools records management toolkit

<http://irms.org.uk/page/SchoolsToolkit>

A downloadable scheduled for all records management in schools