



St George's College

Founded 1898

DATA PROTECTION POLICY & PROCEDURES

Reviewed and approved Jan 2023

Next review Jan 2024

ST GEORGE'S VISION MISSION AND VALUES

VISION STATEMENT

St George's College is a private, non-profit, bilingual, co-educational, learning institution with a long tradition in providing a well-rounded and demanding education. It delivers an international curriculum of high standards, which seeks to develop strong ethical values and character integrity, in order to allow its students to become useful and successful citizens.

MISSION STATEMENT

Our mission is to provide students, between the ages of 3 and 18, with a bilingual education that integrates the Argentine and international curricula. We strive for the continual improvement in the quality of the teaching and learning, management and school resources in order that the students may develop their potential to the full. Our environment nurtures individual development, independent thinking, sportsmanship and an extensive and close interaction with the community.

STATEMENT OF VALUES

Since its foundation in 1898, St George's College has been based on values adopted by its Christian founders, drawn from the best ones stemming from British tradition. These values are centred upon the following:

- Uphold honesty, integrity and truth.
- Demonstrate fortitude in terms of energy, initiative, courage and responsibility.
- Exercise good manners and respect towards people, rules, institutions, and the environment.
- Commitment and loyalty to the College, its people and society at large.
- Actively develop the concept of duty, caring and leadership through example.
- Apply perseverance and fair play in behaviour, work and play.

The College strives to uphold these values through its Governors, Staff, Parents and Students, adding to the best traditions established by its Founders.

1. COMMITMENT TO DATA

St Georges collects and uses certain types of personal information about staff, students, parents and other individuals who come into contact with the school in order to provide education and associated roles.

The school may be required by law to collect and use certain types of information to comply with statutory obligations related to employment, education and safeguarding, and this policy is intended to ensure that personal information is dealt with properly and securely and in accordance with National legal requirements and best practice internationally.

This policy applies to all computerised data and manual files if they come within the definition of a filing system, where the data is structured in a way that it is searchable on the basis of specific criteria.

This policy will be updated as necessary to reflect best practice, or amendments made to data protection legislation, and shall be reviewed every year.

This policy should be read in conjunction with the following:

- Complaints policy and procedures
- Capability policy and procedures
- Digital use policy and procedures
- Safeguarding policy and procedures
- Whistleblower policy and procedures

2. AIMS

COMPLIANCE

- To ensure the school is compliant with all national laws and guidelines
- To ensure best practice from around the world

ONE SCHOOL

- To establish principles efficiently across all sections and highlight procedural differences.
- To ensure where possible that resources, contracted services and support materials are implemented efficiently across all sections and wherever possible replicated.

FRAMEWORK

- To provide the school's leadership a framework within which to work.
- To communicate clearly with the community what our policies and procedures are.

POLICY SPECIFIC

- To ensure the highest standards of professional conduct from all staff.

3. PRINCIPLES OF DATA PROTECTION

Personal data will be processed fairly, lawfully and in a transparent manner.

Personal data will be collected for specific, explicit, and legitimate purposes.

Personal data will be relevant, and limited, to what is necessary for the purpose(s) for which it is being processed. Personal data shall be accurate and, where necessary, kept up to date.

Personal data will be processed in such a way that ensures appropriate security of the data, including protection against unauthorised or unlawful processing and against accidental loss, destruction, or damage, using appropriate technical or organisational measures.

In addition to this, the school is committed to ensuring that at all times, anyone dealing with personal data will be mindful of the individual's rights under the law

This means that the school will:

- Inform individuals as to the purpose of collecting any information from them, as and when we ask for it.
- Be responsible for checking the quality and accuracy of the information.
- Regularly review the records held to ensure that information is not held longer than is necessary, and that it has been held in accordance with the data retention policy.
- Ensure that when information is authorised for disposal it is done appropriately.
- Ensure appropriate security measures to safeguard personal information whether it is held in paper files or on our computer system, and follow the relevant security policy requirements at all times.
- Share personal information with others only when it is necessary and legally appropriate to do so.
- Set out clear procedures for responding to requests for access to personal information known as subject access requests.

4. USE OF PERSONAL DATA

The school holds personal data on students, staff and other individuals such as visitors. In each case, the personal data must be treated in accordance with this policy

Students

The personal data held regarding students includes contact details, assessment / examination results, attendance information, characteristics such as religion, ethnic group, special educational needs, any relevant medical information, and photographs.

The data is used in order to support the education of the students, to monitor and report on their progress, to provide appropriate pastoral care, and to assess how well the school as a whole is doing, together with any other uses normally associated with this provision in a school environment.

The school may make use of limited personal data (such as contact details) relating to students, and their parents or guardians for fundraising, marketing or promotional purposes and to maintain relationships with students of the school, but only where consent has been provided

In particular, the school may:

- Transfer information to any association society or club set up for the purpose of maintaining contact with students or for fundraising, marketing or promotional purposes relating to the school but only where consent has been obtained first.
- Make personal data, including sensitive personal data, available to staff for planning curricular or extracurricular activities.
- Keep the student's previous school informed of his / her academic progress and achievements.

Any wish to limit or object to any use of personal data should be notified to the DCO in writing. If, in the view of the DCO, the objection cannot be maintained, the individual will be given written reasons why the school cannot comply with their request.

Staff

The personal data held about staff will include contact details, employment history, information relating to career progression, information relating to DBS checks, photographs.

The data is used to comply with legal obligations placed on the school in relation to employment, and the education of children in a school environment. The school may pass information to other regulatory authorities where appropriate, and may use names and photographs of staff in publicity and promotional material. Personal data will also be used when giving references.

Staff should note that information about disciplinary action may be kept for longer than the duration of the sanction.

Any wish to limit or object to the uses to which personal data is to be put should be notified to the DCO who will ensure that this is recorded, and adhered to if appropriate.

If the DCO is of the view that it is not appropriate to limit the use of personal data in the way specified, the individual will be given written reasons why the school cannot comply with their request.

Other Individuals

The school may hold personal information in relation to other individuals who have contact with the school, such as volunteers and guests. Such information shall be held only in accordance with the data protection principles, and shall not be kept longer than necessary.

5. SECURITY OF PERSONAL DATA

The school will take reasonable steps to ensure that members of staff will only have access to personal data where it is necessary for them to carry out their duties. All staff will be made aware of this policy and their legal responsibilities.

The school will take all reasonable steps to ensure that all personal information is held securely and is not accessible to unauthorised persons.

Disclosure of personal data to third parties

The following list includes the most usual reasons that the school will authorise disclosure of personal data to a third party:

- To give a confidential reference relating to a current or former employee, volunteer or student.
- For the prevention or detection of crime.
- For the assessment of any tax or duty.
- Where it is necessary to exercise a right or obligation conferred or imposed by law upon the school (other than an obligation imposed by contract).
- For the purpose of, or in connection with, legal proceedings (including prospective legal proceedings).
- For the purpose of obtaining legal advice.
- For research, historical and statistical purposes (so long as this neither supports decisions in relation to individuals, nor causes substantial damage or distress).
- To publish the results of public examinations or other achievements of students of the school.
- To disclose details of a student's medical condition where it is in the student's interests to do so, for example for medical advice, insurance purposes or to organisers of school trips.
- To provide information to another educational establishment to which a student is transferring.
- To provide information to the Examination Authorities as part of the examination process.
- To provide information to the relevant Government Department concerned with national education.

The school may receive requests from third parties (i.e. those other than the data subject, the school, and employees of the school) to disclose personal data it holds about students, their parents or guardians, staff or other individuals. This information will not generally be disclosed unless one of the specific exemptions under data protection legislation which allow disclosure applies; or where necessary for the legitimate interests of the individual concerned or the school.

All requests for the disclosure of personal data must be sent to the DCO, who will review and decide whether to make the disclosure, ensuring that reasonable steps are taken to verify the identity of that third party before making any disclosure.

6. SUBJECT ACCESS REQUESTS

Anybody who makes a request to see any personal information held about them by the school is making a subject access request.

All information relating to the individual, including that held in electronic or manual files should be considered for disclosure, provided that they constitute a filing system.

All requests should be sent to the DCO within 3 working days of receipt, and must be dealt with in full without delay and at the latest within one month of receipt.

Where a child or young person does not have sufficient understanding to make his or her own request (usually those under the age of 12, or over 12 but with a special educational need which makes understanding their information rights more difficult), a person with parental responsibility can make a request on their behalf. The DCO must, however, be satisfied that:

The child or young person lacks sufficient understanding; and the request made on behalf of the child or young person is in their interests.

Any individual, including a child or young person with ownership of their own information rights, may appoint another person to request access to their records. In such circumstances the school must have written evidence that the individual has authorised the person to make the application and the DCO must be confident of the identity of the individual making the request and of the authorisation of the individual to whom the request relates.

Access to records will be refused in instances where an exemption applies, for example, information sharing may place the individual at risk of significant harm or jeopardise police investigations into any alleged offence(s).

A subject access request must be made in writing. The school may ask for any further information reasonably required to locate the information.

An individual only has the automatic right to access information about themselves, and care needs to be taken not to disclose the personal data of third parties where consent has not been given, or where seeking consent would not be reasonable, and it would not be appropriate to release the information. Particular care must be taken in the case of any complaint or dispute to ensure confidentiality is protected.

All files must be reviewed by the DCO and Headmaster before any disclosure takes place. Access will not be granted before this review has taken place.

Where all the data in a document cannot be disclosed a permanent copy should be made and the data obscured or retyped if this is more sensible. A copy of the full document and the altered document should be retained, with the reason why the document was altered.

Exemptions to Access

Where a claim to legal professional privilege could be maintained in legal proceedings, the information is likely to be exempt from disclosure unless the privilege is waived.

There are other exemptions from the right of subject access. If we intend to apply any of them to a request then we will explain which exemption is being applied and why.

7. RIGHTS OF INDIVIDUALS

The school has an obligation to comply with the rights of individuals under the law, and takes these rights seriously. The following section sets out how the school will comply with the rights to:

- Correct information
- Erase information
- Data Portability.

Right to correct information

An individual has the right to request the rectification of inaccurate data without undue delay. Where any request for rectification is received, it should be sent to the DCO within 2 working days of receipt, and where adequate proof of inaccuracy is given, the data shall be amended as soon as reasonably practicable, and the individual notified.

Where there is a dispute as to the accuracy of the data, the request and reasons for refusal shall be noted alongside the data, and communicated to the individual.

An individual also has a right to have incomplete information completed by providing the missing data, and any information submitted in this way shall be updated without undue delay.

Right to erase information

Individuals have a right, in certain circumstances, to have data permanently erased without undue delay. This right arises in the following circumstances:

- Where the personal data is no longer necessary for the purpose or purposes for which it was collected and processed.
- Where consent is withdrawn and there is no other legal basis for the processing.
- Where an objection has been raised under the right to object, and found to be legitimate.
- Where personal data is being unlawfully processed (usually where one of the conditions for processing cannot be met).
- Where there is a legal obligation on the school to delete.

The DCO will make a decision regarding any application for erasure of personal data, and will balance the request against the exemptions provided for in the law. Where a decision is made to erase the data, and this data has been passed to other data controllers, and / or has been made public, reasonable attempts to inform those controllers of the request shall be made.

Data portability

If an individual wants to send their personal data to another organisation they have a right to request that the school provides their information in a structured, commonly used, and accessible format.

If a request for this is made, it should be forwarded to the DPO within 2 working days of receipt, and the DCO will review and revert as necessary.

8. BREACHES OF DATA PROTECTION

Any and all breaches of this data procession policy should be reported as soon as they are discovered, to the DCO or a Senior member of Staff.

Once notified, the DCO and the Headmaster shall assess:

- The extent of the breach;
- The risks to the data subjects as a consequence of the breach;
- Any security measures in place that will protect the information;
- Any measures that can be taken immediately to mitigate the risk to the individuals.

Unless the DCO and the Headmaster conclude that there is unlikely to be any risk to individuals from the breach, it must be notified to the Chairman of the Board within 72 hours of the breach having come to the attention of the school, unless a delay can be justified.

The Chairman of the Board shall be told:

- Details of the breach, including the volume of data at risk, and the number and categories of data subjects.
- The contact point for any enquiries (which shall usually be the DCO).
- The likely consequences of the breach;
- Measures proposed or already taken to address the breach.

If the breach is likely to result in a high risk to the rights and freedoms of the affected individuals then the DCO and the Headmaster shall notify data subjects of the breach. Without undue delay unless the data would be unintelligible to those not authorised to access it, or measures have been taken to mitigate any risk to the affected individuals.

Data subjects shall be told:

- The nature of the breach.
- Who to contact with any questions.
- Measures taken to mitigate any risks.

The DCO and the Headmaster shall then be responsible for instigating an investigation into the breach, including how it happened, and whether it could have been prevented. Any recommendations for further training or a change in procedure shall be reviewed by SLT and the Headmaster and a decision made about implementation of those recommendations.

APPENDIX 1

Personal Data

‘Personal data’ is information that identifies an individual, and includes information that would identify an individual to the person to whom it is disclosed because of any special knowledge that they have or can obtain[1]. A sub-set of personal data is known as ‘special category personal data’. This special category data is information that relates to:

- Race or ethnic origin;
- Political opinions;
- Religious or philosophical beliefs;
- Physical or mental health;
- Sex life or sexual orientation;
- Genetic or biometric data for the purpose of uniquely identifying a person.
- Special Category information is given special protection, and additional safeguards apply if this information is to be collected and used.
- Information relating to criminal convictions shall only be held and processed where there is legal authority to do so.

The school does not intend to seek or hold sensitive personal data about staff or students except where the school has been notified of the information, or it comes to the school’s attention via legitimate means or needs to be sought and held in compliance with a legal obligation or as a matter of good practice.

Staff or students are under no obligation to disclose to the school their race or ethnic origin, political or religious beliefs, whether or not they are a trade union member or details of their sexual life (save to the extent that details of marital status and / or parenthood are needed for other purposes such as pension entitlements).

POLICY REVIEW

This policy is to be reviewed by SLT and presented to the Board of Governors for final consideration and approval.

Approved by the Board of Governors, signed:

Dr Francisco Follett, Chairman

James Belmonte Diver , Headmaster

Date: