



# ST. JOSEPH'S COLLEGE

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## Data Protection Policy for Pupils and Parents

This policy relates to all sections of St Joseph's College, including the Early Years Foundation Stage and is not to be confused with the College's Privacy notices aimed at Pupils, Parents, Staff or others.

The College is registered with the Information Commissioner's Office.

### About this Policy

Everyone has rights with regard to the way in which their personal data is handled. This policy is intended to outline information about how the College will use (or "process") personal data about individuals. The policy relates to all sections of the College, including the Early Years Foundation Stage.

Anyone who works for, or acts on behalf of the College should be aware of and comply with the terms and conditions and any other information and policies the College may provide about a particular use of personal data, including e.g. the College policy on taking, storing and using images of children.

All Pupils and Parents should also read and familiarise themselves with the Privacy Notices for Staff, Parent, Alumni and Students which contains further information about data subjects.

### General Statement of the College Duties

The College is required to process relevant personal data regarding Pupils and Parents as part of its operation and shall take all reasonable steps to do so in accordance with this Policy.

### Responsibility for Data Protection

In accordance with the Data Protection Act 2018 and General Data Protection Regulations ('the Act') the College has notified the Information Commissioner's Office of its processing activities.

The College has appointed Mr Anthony Leggett (The Bursar) as Data Protection Officer ("DPO") who will endeavour to ensure that all personal data is processed in compliance with this policy and the Act.

### Processing of Personal Data

The College may process a wide range of personal data about all individuals. All staff have a personal responsibility for the practical application of this policy and the privacy notice.

Staff should generally not be processing personal data relating to any pupils or parents unless:

- The individual whose details are being processed has consented to this
- The processing is necessary to perform the College legal obligations or exercise legal rights or



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- The processing is otherwise in the College legitimate interests and does not unduly prejudice the individual's privacy

When gathering personal data or establishing new data protection activities, staff will ensure that individuals whose data is being processed receive appropriate data protection notices to inform them how the data will be used. There are limited exceptions to this notice requirement. In any case of uncertainty as to whether a notification should be given, staff should contact the DPO.

### **Sensitive Personal Data**

The College may, from time to time, need to process "sensitive personal data" regarding individuals. Sensitive personal data includes information about an individual's physical or mental health, race or ethnic origin, political or religious beliefs, sex life, trade union membership or criminal records and proceedings. Sensitive personal data is entitled to special protection under the Act, and will only be processed by the College with the explicit consent of the appropriate individual, or as otherwise permitted by the Act.

### **Use of Personal Data by the College**

The College will use (and where appropriate share with third parties) personal data about individuals for a number of purposes as part of its operations and where otherwise reasonably necessary for the College, such as security, regulatory and legal purposes, including to obtain appropriate professional advice and insurance.

### **Data Accuracy and Security**

The College endeavours to ensure that all personal data held in relation to an individual is as up to date and accurate as possible. Individuals must notify the DPO of any changes to information held about them.

An individual has the right to request that inaccurate information about them is erased or corrected (subject to certain exemptions and limitations under the Act) and may do so by contacting the DPO in writing.

The College will take appropriate technical, organisational steps and training to ensure the security of personal data about individuals.

### **Rights of Access to Personal Data ("Subject Access Request")**

All pupils over the age of 12 who are deemed mature to exercise their own rights, and parents can under the Act have access to personal data about them held by the College, subject to certain exemptions and limitations set out in the Act. Any individual wishing to access their personal data should put their request in writing to the DPO.

The College will endeavour to respond to any such written requests (known as "subject access requests") as soon as is reasonably practicable and in any event within statutory time-limits.



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## **Exemptions**

You should be aware that certain data is exempt from the right of access under the Act. This may include information which identifies other individuals, or information which is subject to legal professional privilege.

The College is also not required to disclose any reference given by the College for the purposes of the education, training or employment of any individual.

## **Whose Rights**

The rights under the Act belong to the individual to whom the data relates

All pupils are required to respect the personal data and privacy of others, and to comply with the College Computer Usage Policy and the College rules.

## **Data Retention and Storage**

The College will not keep personal data longer than is necessary for the purpose or purposes for which they were collected and will take all reasonable steps to destroy, or erase from its systems, all data which is no longer required. All pupils and parents should refer to the Data Retention and Storage policy for further information which is available on request.

No member of staff will provide personal data of pupils or parents to third parties, including a volunteer or contractor, unless there is a lawful reason to do so or where explicit consent has been provided.

## **Enforcement**

If an individual believes that the College has not complied with this policy or acted otherwise than in accordance with Data Protection Law then they can make a complaint at any time in writing to the DPO or by contacting the Information Commissioner, although it is recommended by the ICO that steps are taken to resolve the matter with the College before involving the regulator.

The ICO helpline number is 0303 123 1113.

## **Reporting of a Data Protection Breach**

In the event a data protection breach is discovered urgent or immediate action should be taken to notify Mr Anthony Leggett (The Bursar) as Data Protection Officer and to carry out the completion of the Data Protection Breach Reporting Form. If you need any assistance in completing this form, please contact Mr Anthony Leggett or Mr Rich Clements.

If you are unable to notify or complete the form for any reason, please do not delay in notifying the College.