



## Data Protection Policy

This Policy was adopted by Appleton CE Primary School on 2nd February 2016



### AIMS

This policy sets out the Council's commitment to the lawful and fair handling of personal data in accordance with the Data Protection Act 1998.

For detailed guidance on Data Protection and procedures, please refer to the Data Protection Manual.

### BACKGROUND

The Data Protection Act 1998 ("the Act") regulates the holding and processing of personal data - that is information relating to living individuals, which is held either on the computer or in some cases in manual form. The Act also gives rights to individuals whose personal information is held by organisations.

The Council needs to collect and use personal information in order to carry out its functions effectively. Information can be held concerning its current, past and prospective employees, suppliers, service users, residents and others with whom the Council communicates.

The Council and in some circumstances its individual employees could face prosecution for failure to handle personal data in accordance with the Act.

### POLICY STATEMENT

**Any personal data which the Council collects, records or uses in any way whether it is held on paper, computer or other media will be subject to appropriate safeguards to ensure that the Council complies with the Act.**

The Council fully endorses and adheres to the eight Data Protection Principles which are set out in the Act and summarised below:

Personal data shall be:

1. fairly and lawfully processed
2. processed for specified and lawful purposes and not in any other way which would be incompatible with those purposes
3. adequate, relevant and not excessive
4. accurate and kept up to date
5. not kept for longer than is necessary
6. processed in line with the data subject's rights
7. kept secure
8. not transferred to a country which does not have adequate data protection laws.

## **ACTION**

In order to meet the requirements of the data protection principles and its obligations under the Act, the Council will ensure the following:

1. Renew its entry of the Register of Notifications held by the Information Commissioner's Office;
2. maintain a register of particulars about the types of personal data the Council holds, purposes for which it is held and used and types of organisations to which personal data may be disclosed;
3. appoint officers with specific responsibility for data protection in the Council;
4. any forms used to collect data will contain a 'fair processing notice' to inform the data subject of the reasons for collecting the personal information and the intended uses;
5. any personal information that has been collected will be used only for the purposes for which it was collected;
6. data subjects (individuals to whom the personal information relates) are able to exercise their rights under the Act, including the right:
  - to be informed that their personal information is being processed
  - of access to their personal information
  - to correct, rectify, block or erase information that is regarded as wrong
7. personal data will only be disclosed to third parties when it is fair and lawful to do so in accordance with the Act and with any Information Sharing Protocols;
8. sensitive personal data will only be processed with the explicit consent of the data subject or if an exemption applies under the Act. Sensitive data is personal data about an individual's racial or ethnic origin, political opinions, religious beliefs, trade union membership, physical or mental health, sex life, details of the commission or alleged commission of any offence and any court proceedings relating to the commission of an offence;
9. procedures are in place to check the accuracy of personal data collected, retained and disclosed;
10. review the time that personal information is retained or stored to ensure that it is erased at the appropriate time;

