



WALTON HIGH SCHOOL

Proud to be part of Walton Multi Academy Trust



DATA PROTECTION AND FOI POLICY

Date Approved:

July 2016

Review Date:

June 2019

Link Leadership Member:

Assistant Headteacher

WALTON MULTI-ACADEMY TRUST

Freedom of Information, Data Protection and Information Security Policy Statement and Procedures

1. Introduction

This document outlines our procedures to comply with the Freedom of Information Act (Fol), the 8 Key Principles of the Data Protection Act (DPA) and the advice from the Information Governance Unit (IGU) of Staffordshire County Council

2. Obligations and Duties

The school recognises its duty to

- Provide advice and assistance to anyone requesting information. We will respond to straightforward verbal requests for information, and will help enquirers to put more complex verbal requests into writing so that they can be handled
- Inform enquirers whether or not we hold the information they are requesting (the duty to confirm or deny), and provide access to the information we hold in accordance with the procedures laid down.
- Respond to any requests for Personal Data outside that not normally shared by the school
- Register with the Information Commissioner's Office (ICO) on an annual basis
- Ensure that all classified personal data, including electronic and paper copies, are held securely and transferred securely and only to authorised individuals or agencies – we accept that failure to comply may result in fines from the Information Commissioner

3. Procedures

a. Freedom of Information Act - *this deals with non personal data held by the school*

- Any person has a legal right to ask for access to information held by Walton High School. They are entitled to be told whether Walton High School holds the information, and to receive a copy, subject to certain exemptions.
- The information which the school routinely makes available to the public is included in the **Publication Scheme (Appendix 2)**. Requests for other information should be dealt with in accordance with the guidance below. While the Act assumes openness, it recognises that certain information is classified. There are exemptions to protect this information.
- Requests under Fol can be addressed to anyone at Walton High School; **so all staff need to be aware of the process for dealing with requests (Appendix 3)**.
- Requests must be made in writing, (including email), and should include the enquirers name and correspondence address, and state what information they require. They do not have to mention the Act, nor do they have to say why they want the information.
- There is a duty to respond to all requests, telling the enquirer whether or not the information is held, and supplying any information that is held, **except where exemptions apply**.
- Staff are advised to consult with the Executive Business Manager if the information that has been requested is not on the Publication Scheme.
- **We aim to deal with any request under the Fol Act within the statutory 20 working days**

b. Data Protection Act (DPA) – *this covers access to classified personal information*

- As a High School we naturally share “educational data” on students through parents’ evenings, reports and via our secure learning gateway
- This statement is designed to cover access to data and personal information that is **not normally shared with students and parents in the day to day operation of the Trust**
- Similarly staff have access to personal data on SIMs (eg timetable) and this policy is designed for personal staff data that is not normally available (eg salary)

- Students (including former students) or staff should make any request for any personal information in **writing to the Headteacher**, with evidence of ID. Walton High School will comply with this request as soon as possible and within the statutory 40 calendar days
- Parents requesting information about their child will also need to put it **in writing to the individual school's headteacher** along with suitable ID.
- All student personal data (held and shared) will come under the "Gillick Competency Test"
- If the transfer of personal data is outside the European Economic Area then Principle 8 of the DPA must be adhered to.

c. **Information Security** – *this covers how we store, access, share and transfer personal data*

- As a High School we deal with a variety of non-classified and classified personal data on students, parents, staff, governors and 3rd parties. A list of this information, how we store it, who has access, who it is shared with and how it is transferred **can be found in appendix 1**
- **Storage of Classified Data**
 - All ICT systems must have secure password access and users must follow guidelines for safe use as prescribed in our ICT Security document
 - Any mobile electronic system must have secure password access or be encrypted
 - All paper copies must be in locked storage cabinets
 - Rooms/offices with wall displays must be secure from general public access
- **Access, Sharing and Transfer of Classified Data**
 - Only people identified in this document should access this data
 - Sharing of the data with anyone not identified above must follow our FOI and DPP procedures
 - The method of transfer of any classified data must be secure
- **Retaining and Disposal of Classified Data**
 - Retention of all data follows national and Trust guidance
 - Where no guidelines exist it shall be the judgement of Walton High School (5th principle of DPA)
 - All paper copies to be shredded
 - Electronic data should be deleted with the supervision of the ICT Technicians. Simply deleting it/emptying the recycle bin will not fully remove it

4. **Publication Scheme (Appendix 2)**

- Walton High School has adopted the Model Publication Scheme for Schools approved by the Information Commissioner.
- The Publication Scheme and the materials it covers will be readily available from the School Office. It will also be published on our website.
- We publish all **DfE Statutory Information** on our website

5. **Exemptions**

- Certain information is subject to either absolute or qualified exemptions. The exemptions will be provided on request
- When we wish to apply a qualified exemption to a request, we will invoke the **public interest test** procedures to determine if public interest in applying the exemption outweighs the public interest in disclosing the information.
- We will maintain a register of requests we have complied with and where we have refused to supply information, with the reasons for the refusal. The register will be retained for 5 years.

6. **Charging**

- We reserve the right to refuse to supply information covered by the FoI Act where the cost of doing so exceeds the statutory maximum, currently £450.
- If we do require a charge it will be based on £25/hour for any administration work carried out in providing the information.

- We may make a small charge (max £10) for any requests made under the DPA and there is a sliding scale we can apply based on the number of pages involved

7. Responsibilities

Responsibility for compliance with the FoI, DPA and IGU
Co-ordinator of enquiries, advice and training

Walton High School
Member of Walton High School with responsibility

8. Staff Information and Training

- Staff guidance on the procedures outlined in this document will include
 - A Staff Guidance document on FoI and DPA procedures and Information Security added to Staff Handbook and Staff Induction (**Appendix 3**)
 - Use of staff INSET to provide basic training
 - Use of Twilight Training to provide extended training

9. Complaints

- Any complaints will be dealt with through Walton High School's normal complaints procedure.
- If on investigation Walton High School's original decision is upheld, then Walton High School has a duty to inform the complainant of their right to appeal to the Information Commissioner's office.

Appeals should be made in writing to the Information Commissioner's office. They can be contacted at:

FOI/EIR Complaints Resolution
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

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Date for review: July 2019

This policy is:

DESAP COMPLIANT
DYSLEXIA COMPLIANT
HEALTHY SCHOOLS COMPLIANT
GENDER EQUALITY COMPLIANT

What type of personal data do we use in school?

	Students	Staff	Parents	3rd Party & Governors
Non - classified	Names, classes Tutor Group Timetable Formative assessment feedback Class work Posters/displays Non named images School e-mail TG and Class Lists	Name, classes Timetable Subject Responsibilities/roles School e-mail	Name	Names Committees Chair school e-mail
Classified	Address, phone nos Family, school history Doctor/Health DOB, ethnicity SEN/G&T Attendance Behaviour Achievement Assessment Exam results Reports Named image Discussions/Meetings	Contact Details Address Home e-mail Car type + registration NI nos DBS checking Scale & salary Work record Appraisal records LO records Disciplinary records Health records Class exam results Named image Discussions/Meetings	Home address Home, work, mobile phone numbers Home e-mail Employment Language Discussions/Meetings	Contact Details Address Home e-mail Phone numbers Discussions/Meetings DBS checks

Classified means the data is only available to certain people. All data identified as sensitive in the DPA is in this category

All classified information must be stored and transferred securely

Where is our personal data stored?

	Information	Where Stored
Non – classified ALL	Names and roles Classes/groups/committees Timetables Homework/Classwork Formative assessment Posters/displays Non named images School e-mail	<ul style="list-style-type: none"> • SIMs * • Staff shared and personal areas • Staff folders/mark books • Laptop, external HD and pen drives • In classrooms/staffroom/offices/walls • Website • Exercise/Mark books
Classified - students	Address, phone nos Family, school history Doctor/Health DOB, ethnicity SEN/G&T Attendance Behaviour Achievement Assessment Exam results Named image Discussions/Meetings	<ul style="list-style-type: none"> • SIMs • Staff shared and personal areas • Online data (eg SISRA) • Encrypted laptops, external HD and pen drives • Student folders in HOY office • Staff Handbook/Yellow Pages • Staffroom (including walls) • School Offices (including walls) • Reception (including walls) • Minutes to meetings
Classified - staff	Address/Home e-mail Car type + registration NI nos/CRB checking Scale & salary/Work record Appraisal /Lesson Obs. Disciplinary & Health Exam results of classes Named image Discussions/Meetings	<ul style="list-style-type: none"> • SIMs (access limited to HT & senior admin) • Staff personal folders/records with HT • Staff shared and personal areas • Online data (eg SISRA) • Staff Handbook/Yellow Pages • Minutes of Meetings
Classified - parents	Home address, e-mail Home, work, mobile phone nos Family details Employment/Language Discussions/Meetings	<ul style="list-style-type: none"> • SIMs • Student folders in HOY office • School offices/reception • Minutes of Meetings
Classified – 3rd party & governors	Contact Address e-mail phone numbers	<ul style="list-style-type: none"> • SIMs (access limited to senior admin) • Finance/Reception • Clerk to Governors

SIMS* - this is our School Information Management System. Different staff have different levels of access (as indicated)

Who has access, who is it shared with and how do we transfer it

	Access	Shared with	Transfer
Non - classified	<ul style="list-style-type: none"> All 	<ul style="list-style-type: none"> All 	<ul style="list-style-type: none"> Electronic/e-mail Phone/fax Paper copy/mail Discussions/meetings Yellow Pages*
Classified - students	<ul style="list-style-type: none"> All Staff Students/Parents 	<ul style="list-style-type: none"> Students/Parents Support Services/LA Governors Collaborative educational establishments 	<ul style="list-style-type: none"> Electronic/e-mail Phone Paper copy/mail Discussions/meetings Yellow Pages
Classified - staff	<ul style="list-style-type: none"> Staff (own data only) Senior Admin Officer Headteacher Business Manager 	<ul style="list-style-type: none"> LG School managers Governors Support Services/LA 	<ul style="list-style-type: none"> Electronic/e-mail Phone Paper copy/mail Discussions/meetings
Classified - parents	<ul style="list-style-type: none"> All Staff 	<ul style="list-style-type: none"> Support Services/LA Governors 	<ul style="list-style-type: none"> Electronic/e-mail Phone Paper copy/mail Discussions/meetings
Classified – 3rd party & governors	<ul style="list-style-type: none"> Senior Admin Officer Headteacher Business Manager 	<ul style="list-style-type: none"> All staff Governors Support Services/LA 	<ul style="list-style-type: none"> Electronic/e-mail Phone Paper copy/mail Discussions/meetings

Yellow Pages* = weekly staff bulletin

All classified information must only be shared with the indicated people/agencies and only when necessary or required.

It must be transferred securely

Walton High School Publication Scheme Appendix 2

Classes of Information	Available on Website	Available on Request
Who we are and what we do.	School prospectus Governors – names and roles School session times and term dates House system Location and contact information Catchment map Curriculum Information	
What we spend and how we spend it.	Pay policy Pupil Premium grant	Annual Budget Plan Capital Funding Staffing/Grading
What our priorities are and how we are doing.	Ofsted report Child Protection policy KS4 Results Link to our exam data held on DfE website	School and Departmental Self Evaluation Documents School and Departmental Development Plans Departmental Reviews
How we make decisions.	Admissions Policy Discipline Procedures	Application Numbers Minutes to meetings <ul style="list-style-type: none"> • Governors • Leadership Group • HODs/HOYs
Our policies and procedures	– see list below	
Lists and Registers.	Staff Lists with roles and responsibilities Departmental and Pastoral/House teams and information Exam information for candidates including timetables	
The Services we Offer.	Dedicated sixth-form area Extra-curricular activities Out of school clubs Annual School Calendar Termly Newsletter Subject related links KS3/4 Support Area Electronic copies of all general letters and information sent home Gallery and news items Archive	

Policies and Procedures included in the Publication Scheme

Statutory and key policies/procedures on website

Statutory/key Policies/Procedures	Statutory/key Documents/Procedures
<ol style="list-style-type: none"> 1. Charging and Remissions Policy 2. School Discipline and Student Behaviour Policy 3. Sex & Relationship Education Policy 4. SEN Policy 5. Performance Management Policy 6. Whole School Pay Policy 7. Data Protection & FOI Policy 8. Health & Safety Policy 9. Child Protection Policy 10. Anti Bullying Policy 11. ICT Security and e - Safety Policy 	<ol style="list-style-type: none"> 1. Admissions policy & Admission for new students + Y7 2. Disability Equality Scheme (DESAP) 3. Central record of recruitment and vetting checks 4. Complaints Policy 5. FOI Publication Scheme 6. Governors Allowances Policy 7. Home School Agreement Policy (Stat) 8. Governors and Governing Bodies' Code of Conduct 9. Equal Opportunities 10. Statutory School Information 11. Pecuniary Interest Forms 12. Discipline Procedures 13. Allegations of Abuse against staff (LEA document) 14. Assessment and Reporting 15. Attendance and Registration 16. Curriculum 17. Educational Visits 18. Exams 19. Homework 20. Teaching and Learning Principles

Non-Statutory (not on website – available on request)

Non Statutory Documents/Procedures/Policies	
<ol style="list-style-type: none"> 1. Additional support sessions for KS3 students 2. Administration of medication & appendix 3. Adoption Leave 4. Careers Education and Information Policy 5. Collective Worship and Assemblies Policy 6. Community Education Policy 7. CPD Policy 8. Critical Incident Policy 9. Display Screen Equipment Policy 10. Drugs Education Policy 11. Financial Hardship 12. First Aid Policy 13. Housekeeping and Cleanliness Policy 	<ol style="list-style-type: none"> 14. Lettings Policy 15. Lone Working Policy 16. Managing Violence and Aggression Policy 17. Manual Handling Policy 18. Maternity Leave Policy 19. Mobile Phone policy 20. No Smoking Policy 21. Nutritional Standards Policy 22. Physical Activity Policy 23. Race Equality Policy 24. Stress Management policy 25. Student Tracking 26. Water Hygiene Policy 27. Whistle Blowing 28. Visitor Policy

Freedom of Information, Data Protection and Information Security

Introduction

In order to comply with legislation regarding Freedom of Information (Fol), Data Protection Act (DPA) and LA Guidance on Information Security the school has published a **Freedom of Information, Data Protection Statement and Information Security Statement of Procedures**. The statement and associated **Publication Scheme** can be found under our Policies and Procedures on the website.

Implications to Staff

1. Staff need to be aware of how what is meant by Classified Personal Data (**See Appendix 1 for definition of Classified Personal Data**) and how it should be treated – see guidance below
2. There are no major changes to how staff disseminate classified information and personal data to students and parents. As a Trust we naturally share “educational data” on pupils through parents’ evenings, reports and via our secure learning gateway and this statement does not change that
3. However this statement is designed to cover access to data and personal information that is not normally shared with pupils and parents in the day to day operation of a school
4. It also qualifies how staff can make requests for their personal data held by the school
5. It also qualifies what can be provided to anyone on a request under the Freedom of Information Act and the associated Publication Scheme
6. It is important that staff discriminate between
 - a. Requests for Information from anyone (Fol)
 - b. Requests for personal data (DPA)
7. All staff are recommended to read the Statement of Procedures (including the 3 Appendices) along with the guidance below. The ICT Acceptable User Agreement (AUA) that you sign includes agreeing to follow this guidance on Information Security.

Staff Procedures on DPA/FoI/Information Security

a) Requests for Information from Anyone (FoI)

- If you receive a request from anyone connected or not connected with the school that information is on the school website simply direct them to it
- If the request is for other information that is on the Publication Scheme you may supply it – or pass on request to relevant staff
- If the request is for information not on the Publication Scheme or you are unsure – pass on the request to the member of Walton High School with responsibility

b) Requests for Personal Data (DPA)

- If you receive a request for personal data from a student/parent (eg current assessment grades for their subjects) and this data would normally be shared via reports/parents' evenings then simply pass this on
- If the request is for personal data not normally passed on (eg student's personal file) or if you are unsure, then ask the person making the request to put it in writing (with suitable ID) to the Headteacher.
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The following guidance should be read with the Appendix 1 of the DPA/FoI/Information Security Statement of Procedure which summarises what classified personal data is, who can see it and how to keep it secure

c) Information Security

- Storage of Classified Data
 - All ICT systems must have secure password access and users must follow guidelines for safe use as prescribed in our ICT Security/E-Safety Policy and Staff AUP
 - Any mobile electronic system must have secure password access or be encrypted
 - All paper copies must be in locked storage cabinets
 - Rooms/offices with wall displays of must be secure from general public access
 - Under the DPA you must ensure this **data is accurate**
- Access, Sharing and Transfer of Classified Data
 - Only people identified in this document should access this data
 - Sharing of the data with anyone not identified above must follow our FoI, DPP and Information Security Statement of Procedures
 - The method of transfer of any classified data must be secure
 - Staff must ensure they do not discuss classified personal data with anyone who it should not be shared with – including on social media websites
- Disposal of Classified Data
 - Before disposing personal data seek guidance on how long it should be kept
 - Do not keep Personal Data longer than is required
 - All paper copies to be shredded
 - Electronic data should be deleted with the supervision of the ICT Technicians. Simply deleting it/emptying the recycle bin will not fully remove it