



# ALL SAINTS RC SCHOOL

Diocese of Middlesbrough

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## General Data Protection Regulations (GDPR)

### 1. What is GDPR?

As most people will be aware, there are new laws coming in during late May affecting the way organisations (including schools) deal with personal data. These laws are designed to ensure that people have various rights enshrined further into law and to force companies and organisations that deal with this data to ensure that it is protected and only used for a specific, predetermined and agreed purpose. The new laws are the General Data Protection Regulations – commonly referred to as GDPR and are a follow on from the data protection provisions under the Data Protection Act 1998. You will probably have found that banks, credit card companies and a host of other companies will have written to you recently describing the changes they are adopting in regard to personal data.

### 2. How does it affect people?

The specific rights that these laws give are: (*most are very similar to the current Data Protection Act*)

- Right to be informed - to know what, how, where, and for how long your data is used
- Right of access - to be able to see and know what data is being held
- Right to rectification - to fix any errors in the data held
- Right to erasure - to choose to have the data erased or ‘right to be forgotten’.
- Right to restrict processing - to stop data being used for certain purposes
- Right to data portability - to be able to move a copy of the data elsewhere
- Right to object - to be able to complain about how your data is used
- Rights related to automated decision making and profiling

### 3. Does this piece of law change all my rights in regard to the data that the school holds on me or my child?

The only thing that everyone needs to be aware of is that there are some pieces of legislation (for example Education Acts) that supercede some rights under the GDPR. For information on each right, a good source of detail is from the Information Commissioners Office at the following:

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

One of the most significant issues that the school has to adopt due to this legislation is when any data is breached or lost. Under the new legislation the school has (from when a breach is found that may have a detrimental effect on the person or persons affected) 72 hours to report the breach to the Information Commissioners Office (ICO). We also have to report the breach to the affected person.

### 4. What is the school is doing to comply with GDPR?

- We will reviewing the specific timescale we hold various pieces of data – we are adopting the Information Management Records Society’s (IMRS) recommendations. These are based on either various pieces of statute or through consultations with Professional Bodies – all of which comply with GDPR.
- We will be reviewing the actual data we hold on individuals – particularly students, parents and staff and ensuring that:



Compassion



Truth



Respect



Forgiveness



Justice



Service



Gentleness



Humility



Stewardship

- We have a significant and lawful reason to hold the detail – and have either consent or have permission or legal duties / obligations to do so under specific laws
  - We follow the data retention guidelines set out by the IRMS and our own internal policies – and to destroy the data in a secure manner once the timeframe has expired
  - The information is held securely – both in our electronic data storage areas and servers as well as the paper copies
  - The data is only available to authorised staff with a specific need to see the information
- We will update the Privacy notices in regard to what we do with personal data in regard to students and staff. These will be published on our website.
  - We will develop a school policy in regard to the process and communication channels when people want to action any of their rights under GDPR (as described above) in relation to their personal data. Once this process has been agreed the details will be published on our website.
  - We will develop a school mechanism of reporting any data breaches (when there is a significant effect on the individual) to the ICO with the 72 hour timeframe. Once this process has been agreed the details will be published on our website.
  - We will review the permissions the school hold in regard to use of contact details for contact with parents / guardians where we are not covered or obliged by different laws such as the Education Acts
  - We review the permissions the school hold in regard to use of students' photos. Unless we have explicit documentation stating that the school has permission to use a student's photo we will:
    - Write to the applicable parent / guardian asking for their permission
    - Update all staff in school that the use the student picture is prohibited until permission is received
    - Review these permissions on a regular basis
  - We will be appointing a Data Protection Officer (DPO) as required under the GDPR legislation – in the interim the contact for this will be the Business Manager, Mr Baxter.

## 5. What do I need to do now?

The quick answer is nothing – you don't need to do anything.

But what the school does ask is that if we write to you asking for permission for the school to contact you, use of photos or anything else – please can you respond as quickly as possible. We wouldn't want to delay any school communication or school promotion using your detail (or your child's) where you are happy for this but you have an absolutely right to deny permission. Through a quick response we can be sure we know your requirements of the use of your personal data. We cannot or will not assume what we think you may give permission for.

If you do have any questions, in the interim please contact Mr Baxter, the Business Manager who will be able to advise as appropriate. In due course these questions can be directed to the Data Protection Officer.

## 6. How do I find out the personal data the school holds on my child or myself as per my right under GDPR?

The school will be appointing a Data Protection Officer in due course who will be the main contact for these type of requests. In the meantime any requests must be put in writing and addressed to the Business Manager, Mr Baxter.

The school will action as follows:

- a) The requests must clearly state the name and contact details of the person requesting the detail. The school will ensure that we have a return contact detail
- b) The school will then consider if the request is valid under the GDPR legislation and if the school agree that the requestor has a right to see the information or correct the information or delete the information (as appropriate)
- c) If the request is about a data or details on a child, the school will ascertain if the student has a right to object. Under the UK's interpretation of the law in some circumstances a child at 13 years old who is considered mentally competent, does have the right to object to their parents or guardians receiving the detail. There are exceptions: for example the school's obligations under the Education Act supercede the right of the student as well as specific legislation in regard to child protection.

- d) The school will respond to the requestor confirming the receipt of the request and provide a deadline date of when the details of the request will be provided – either copies of requested material or details of data deletion. The school has one month to provide the necessary detail.
- e) The detail will then be provided in the detail as requested – we will generally provide this detail in an electronic format unless otherwise requested. This is to ensure that it is accessible easier on electronic media and to save paper. If the request is to request a correction we will confirm in writing.
- f) We will ask the requestor if they can confirm receipt.

## 7. What can I do if I want to complain and who do I contact?

The school will be updating its Data Protection Policy to include the new provisions under the GDPR legislation in due course – this will include specific details of how complaints can be made in regard to the data that the school holds or about the way it deals with it.

In the interim, the school will ensure that there is a specific complaint route as detailed below:

- **First level** – the school would invite that the person contacts the Business Manager to provide details of the complaint and what rectifications or actions you would like to request
- **Second level** – if you are not satisfied with the response, the school will invite the complainant to write to the Head Teacher, again detailing the complaint and why they feel the action taken by the Business Manager (if appropriate) is not satisfactory.
- **Final Level** – if you feel the school has still not dealt with the complaint to your satisfaction, then we would invite the complainant to write to the Chair of the Board of Governors.

At all times, everyone has the right to make the complaint to the Information Commissioners Office (ICO) - whether a complaint has been made to the school or not.

The contact details of the ICO are:

**The Information Commissioner**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**

**Enquiry Information Line 0303 123 1113** (local rate – calls to this number cost the same as calls to 01 or 02 numbers).

**E Mail:** [casework@ico.org.uk](mailto:casework@ico.org.uk)      **Website:** [www.ico.org.uk/](http://www.ico.org.uk/)