Data Protection Policy

This version: September 2021

This policy has been compiled to take into account of the provisions of the United Kingdom General Data Protection Regulation (UK GDPR)

Our Commitment
LPW is committed to the protection of all personal and sensitive data for which it holds responsibility as the Data Controller and the handling of such data in line with the data protection principles and the Data Protection Act (DPA) and UK General Data Protection Act (UK GDPR)

Guide to data protection (ICO)

Changes to data protection legislation (UK GDPR January 2021) will be monitored and implemented in order to remain compliant with all requirements.

The legal bases for processing data are as follows:

(a) Consent: the member of staff/student/parent has given clear consent for us to process their personal data for a specific purpose.

(b) Contract: the processing is necessary for the member of staff's employment contract or student placement contract.

(c) Legal obligation: the processing is necessary for the school to comply with the law (not including contractual obligations)

The members of staff responsible for data protection within our school are;

Mrs Rachel Robinson – CEO
dpo@lpw.org.uk

Mr Reece Harris – IT Manager
rharris@lpw.org.uk

However all staff must treat all student information in a confidential manner and follow the guidelines as set out in this document.

LPW has a Data Protection Officer who can be contacted on dpo@lpw.org.uk

LPW is committed to ensuring that its staff are aware of data protection policies, legal requirements and adequate training is provided either in-house or by use of specialist training providers.

The requirements of this policy are mandatory for all staff employed by the organisation and any third party contracted to provide services within LPW and it's different divisions.

Notification
Our data processing activities are registered with the ICO under registration number Z4952916

Details are available from the ICO: Register of data controllers (ICO)

Changes to the type of data processing activities being undertaken will be notified to the ICO and details amended in the register.

Breaches of personal or sensitive data will be notified within 72 hours to the individual(s) concerned and the ICO as per LPWs Data Breach Notification Procedure

Personal and Sensitive Data
All data within LPW's control will be identified as personal, sensitive or both to ensure that it is handled in compliance with legal requirements and access to it does not breach the rights of the individuals to whom it relates.

The definitions of personal and sensitive data will be as those published by the ICO for guidance.

The principles of the Data Protection Act will be applied to all data processed: Key definitions of the Data Protection Act (ICO)

- ensure that data is fairly and lawfully processed
- process data only for limited purposes
- ensure that all data processed is adequate, relevant and not excessive
- ensure that data processed is accurate
- not keep data longer than is necessary
- process the data in accordance with the data subject's rights
- ensure that data is secure
- ensure that data is not transferred to other countries without adequate protection.

Fair Processing / Privacy Notice
We will be transparent about the intended processing of data and communicate these intentions via notification to staff, parents and pupils prior to the processing of individual's data. Notifications will be in accordance with ICO guidance and, where relevant, be written in a form understandable by those defined as 'Children' under the legislation.

Privacy notices, transparency and control (ICO)

There may be circumstances where the school is required either by law or in the best interests of our students or staff to pass information onto external authorities, for example local authorities, Ofsted, or the department of health. These authorities are up to date with data protection law and have their own policies relating to the protection of any data that they receive or collect.

The intention to share data relating to individuals to an organisation outside of our school will be clearly defined within notifications and details of the basis for sharing given. Data will be shared with external parties in circumstances where it is a legal requirement to provide such information.

Any proposed change to the processing of individual's data will first be notified to them.

Under no circumstances will the school disclose information or data:

- that would cause serious harm to the child or anyone else's physical or mental health or condition
- indicating that the child is or has been subject to child abuse or may be at risk of it, where the disclosure would not be in the best interests of the child recorded by the pupil in an examination
- that would allow another person to be identified or identifies another person as the source, unless the person is an employee of the school or a local authority or has given consent, or it is reasonable in the circumstances to disclose the information without consent. The exemption from disclosure does not apply if the information can be edited so that the person's name or identifying details are removed
- in the form of a reference given to another school or any other place of education and training, the child's potential employer, or any national body concerned with student admissions.

Data Security
In order to assure the protection of all data being processed and inform decisions on processing activities, we will undertake an assessment of the associated risks of proposed processing and equally the impact on an individual's privacy in holding data related to them.

Risk and impact assessments will be conducted in accordance with guidance given by the ICO:

Information security (Principle 7) (ICO)
Security of data will be achieved through the implementation of proportionate physical and technical measures. Nominated staff will be responsible for the effectiveness of the controls implemented and reporting of their

performance. The security arrangements of any organisation with which data is shared will also be considered and where required these organisations will provide evidence of the competence in the security of shared data.

Data Access Requests (Subject Access Requests)
All individuals whose data is held by us, has a legal right to request access to such data or information about what is held. We will respond to such requests within one month and they should be made using the Subject access request form available from:

Data Protection Officer
LPW House
Princess Street
Bristol
BS3 4AG *No charge will be applied to process the request.

Personal data about pupils will not be disclosed to third parties without the consent of the child's parent or carer, unless it is obliged by law or in the best interest of the child.

Data may be disclosed to the following third parties without consent:

Other schools
If a pupil transfers from LPW School to another school, their academic records and other data that relates to their health and welfare will be forwarded onto the new school. This will support a smooth transition from one school to the next and ensure that the child is provided for as is necessary. It will aid continuation which should ensure that there is minimal impact on the child's academic progress as a result of the move.

Examination authorities
This may be for registration purposes, to allow the pupils at LPW school to sit examinations set by external exam bodies.

Health authorities
As obliged under health legislation, LPW may pass on information regarding the health of children under our care to monitor and avoid the spread of contagious diseases in the interest of public health.

Police and courts
If a situation arises where a criminal investigation is being carried out we may have to forward information on to the police to aid their investigation. We will pass information onto courts as and when it is ordered.

Social workers and support agencies
In order to protect or maintain the welfare of our young people, and in cases of child abuse, it may be necessary to pass personal data on to social workers or support agencies.

Educational division
Schools and other Young People organisations such as LPW may be required to pass data on in order to help the government to monitor the national educational system and enforce laws relating to education.

Right to be Forgotten
Where any personal data is no longer required for its original purpose, an individual can demand that the processing is stopped and all their personal data is erased by the LPW including any data held by contracted processors – the consent withdrawal form is available from the address above.

Photographs and Video
Images of staff and Young People may be captured at appropriate times and as part of educational activities for use by LPW only. Unless prior consent from parents/pupils/staff has been given, LPW will not utilise such images for publication or communication to external sources.

Location of information and data
Hard copy data, records, and personal information are stored out of sight and in a locked cupboard or office.

Sensitive or personal information and data should not be removed from the school sites, however the school acknowledges that some staff may need to transport data between sites or between site and their home in order to access it for work in the evenings and at weekends. This may also apply in cases where staff have offsite meetings, or are on visits with Young People.

The following guidelines are in place for staff in order to reduce the risk of personal data being compromised:

- Paper copies of data or personal information should not be taken off the school sites. If these are misplaced they are easily accessed. If there is no way to avoid taking a paper copy of data off the school site, the information should not be on view in public places, or left unattended under any circumstances.
- Unwanted paper copies of data, sensitive information or pupil files should be placed in the secure shredding bin. This also applies to handwritten notes if the notes reference any other staff member or pupil by name.
- Care must be taken to ensure that printouts of any personal or sensitive information are not left in printer trays or photocopiers.
- If information is being viewed on a PC, staff must ensure that the terminal is locked before leaving the computer unattended. Sensitive information should not be viewed on public computers.
- Personal or sensitive data should only be viewed on company owned Laptops as these are encrypted, installed with up to date protection and secured by use of passwords. These guidelines are clearly communicated to all staff, and any person who is found to be intentionally breaching this conduct will be disciplined in line with the seriousness of their misconduct.
- USB and portable hard drives should not be used. The only exception to this is if removable media are required for examination assessment material. Under these circumstances, either the removable media must be encrypted and password protected or any files with sensitive data must be encrypted and password protected.

Data Disposal

The school recognises that the secure disposal of redundant data is an integral element to compliance with legal requirements and an area of increased risk. All data held in any form of media (paper, tape, electronic) will only be passed to a disposal partner with demonstrable competence in providing secure disposal services.

All data will be destroyed or eradicated to agreed levels meeting recognised national standards, with confirmation at completion of the disposal process. Disposal of IT assets holding data will be in compliance with ICO guidance:

https://ico.org.uk/media/for-organisations/documents/1570/it_asset_disposal_for_organisations.pdf

LPW has identified Shred-It and GreenSafe IT as its secure destruction partners for paper and ICT equipment respectively.