

Rowland Hill Nursery School and Children's Centre

Data Protection and Use of the Information & Communications Systems and Hardware Policy

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WHY DO WE NEED A POLICY ABOUT Data Protection and Use of the Information & Communications Systems and Hardware?

The Data Protection Act 1998 (the Act) provides safeguards for handling personal information about living and identifiable individuals and is based upon 8 principles of „good information handling“.

We have a legal obligation to comply with the Act and do so by applying the 8 Principles of good information handling to the personal data we collect, store, use, disclose and destroy. The eight principles are as follows:

Personal data must be:

- 1.** processed fairly and lawfully
- 2.** processed for specified and lawful purposes
- 3.** adequate, relevant and not excessive
- 4.** accurate, and where necessary kept up to date
- 5.** not kept longer than is necessary
- 6.** processed in accordance with the rights of the data subject
- 7.** kept secure
- 8.** transferred only to countries with adequate security

Staff collect data in various ways including **Computers, Network, Internet, Website, Mobile, Phones, Cameras, Memory Sticks and Information Systems Policy.**

Access is provided to access information and research; to collaborate; to facilitate learning and teaching; to facilitate learning and teaching; and to foster the educational purpose and mission of the School/Centre.

Incidental personal use of the School/Centre’s computer is permitted for employees and visitors as long as such use does not interfere with the employee’s job, duties and performance, with system operations, or with other system users.

School mobile phones and cameras are solely for the School/Centre’s business purposes.

WHAT DO WE WANT FROM OUR POLICY?

Staff working at Rowland Hill need to understand how to collect and store data safely for themselves and the families and children.

Authority

Access to the School/Centre's information systems is a privilege, not a right. All resources, user accounts, and information are the property of the School/Centre. Users have no privacy expectation in their use of the system. The School/Centre reserves the right to monitor, track, log, and access system use to monitor and allocate space. Rowland Hill Nursery School and Children's Centre reserves the right to restrict or deny access to prevent unauthorized, inappropriate or illegal activity, or to refer to legal authorities if such violations deem necessary.

Responsibility

The technology that allows the Internet to operate, results in Rowland Hill Nursery School and Children's Centre being unable to completely block access to inappropriate materials. Users must be capable and able to use the School/Centre's systems and software relevant to their responsibilities and must practice proper etiquette, ethics, and agree to the requirements of this policy.

Delegation of Responsibility

The Head Teacher and other designated staff will serve as the coordinator to oversee the Rowland Hill Nursery School and Children's Centre's information systems including the training, setting up of accounts, approval of activities, etc.

HOW DO WE PUT THIS INTO PRACTICE?

Access to and use of personal information

Access and use of personal information by staff must only be in the course of their official duties. Use for any other purpose is prohibited.

Deliberate unauthorised access to, copying, destruction or alteration of or interference with any computer equipment or data is strictly forbidden and may constitute a criminal and/or a disciplinary offence.

It is an offence under Section 55(1) of the Data Protection Act for any person to knowingly or recklessly, obtain or disclose personal information, without the permission of the Headteacher subject to certain exceptions.

It is also an offence for someone to sell or offer to sell personal information which has been obtained in contravention of Section 55(1). Full details of this offence can be found under Section 55 of the Data Protection Act 1998.

Security

Access to any working area or IT equipment must be restricted to staff in the course of their official duties. Identification badges must be worn at all times and individuals found not wearing an identification badge should be challenged.

Any visitors entering a work area or using Council IT equipment must be accompanied at all times.

A clear desk policy should be adopted in order to reduce any potential unauthorised access to paper records containing personal information.

All IT equipment is password protected in order to keep Council data secure. IT users have to create their own password in order to log onto IT equipment. This password needs to be difficult for others to guess so family/pets names should be avoided.

Passwords should contain a combination of upper and lower case letters and numerals which should be changed regularly.

Passwords must kept securely by the School Business Manager.

Access to the systems:

User accounts will only be used by the owner of the account for authorized purposes. Access to all data on, taken from, or compiled using Rowland Hill Nursery School and Children's Centre computers is subject to inspection and discipline. Only the School/Centre's approved ISP should be used for internet use. Any software downloaded through the internet should be virus-checked, licensed and registered.

Please note that e-mail sent from the School/Centre address is the property of the School/Centre

Search and Seizure:

Rowland Hill Nursery School and Children's Centre reserves the right to monitor, track, log and access any electronic communications, including but not limited to, Internet access and e-mails at any time for any reason.

Copyright Infringement and Plagiarism:

Rowland Hill nursery School and Children's Centre does not permit illegal acts pertaining to the copyright law. Any user violating the copyright law does so at their own risk and assumes all liability.

School/Centre's Web Site:

Publishers must comply with Rowland Hill Nursery School and Children's Centre policies when submitting content to the School/Centre website.

Staff use of memory sticks (USBs):

Details of children and parents on memory sticks must be encrypted if it is taken off site. Staffs are responsible and maybe liable if data in their possession is lost.

Mobile phones:

Staff are not allowed to use mobile phones while they are working with children. Mobile phones carried by staff are to be turned off. If staff are awaiting an urgent call this need to come via the reception.

Consequences for Inappropriate, Unauthorized and Illegal Use:

General rules for behaviour, ethnics, and communications apply when using the systems and information, in addition to the stipulations of this policy. Users must be aware that violations of this policy may result in disciplinary actions or criminal prosecution. The user is responsible for damages to the network, equipment, electronic communications systems, and software resulting from negligent deliberate acts and for incidental or unintended damage related to lost or stolen computers or other equipment.

Staff receiving unsolicited questionable materials or chancing upon an undesirable website should notify the Head Teacher immediately.

Access to and use of personal information

When parents register at the school and the centre the requirements of the data protection act are explained in the documentation.

Disclosure of Information

Personal information held by Rowland Hill must not be disclosed to anyone internally or externally, unless the person disclosing the information is fully satisfied that the enquirer or recipient is authorised in all respects and is legally entitled to the information. Verification should be sought from the Headteacher when this is not clear. If possible, ask the enquirer to put their request in writing and send it to the Headteacher stating their reasons and legal

entitlement to the information. The Freedom of information publications scheme must be adhered to.

In response to any lawful request, only the minimum amount of personal information should be disclosed and where possible, personal data should be anonymised by removing any information which would identify the person. The disclosing member of staff should ensure that the information disclosed is adequate for the purpose of the disclosure, relevant and not excessive. Child Protection information must be pass word protected.

In the case of doubt concerning the disclosure of *personal* information, advice can be sought from Haringey Council.

Exemption from the Non-Disclosure Provisions

There may be occasions when we need to disclose information about someone which will usually be in breach of the Data Protection Act 1998. For example, if we wanted to disclose information knowing that the disclosure would be likely to cause that person damage or distress (this is one of the non-disclosure provisions). The Data Protection Act contains exemptions which allow us to override a non-disclosure provision in certain circumstances, if the disclosure is in the public interest. For example, when the disclosure is necessary for the prevention or detection of crime or the apprehension or prosecution of offenders and where failure to disclose the information would be likely to prejudice an investigation.

We can also disclose information about someone if the information is urgently needed to protect the vital interests of a person (i.e. matters of life and death or for the prevention of serious harm to an individual). The decision to use an exemption from the non-disclosure provisions must be made on a case by case basis. Advice can be sought from Haringey Council in such matters.

Right of Access to Personal Information

Section 7 of the Data Protection Act provides all individuals with the right to be told whether their information is being processed by an organisation and if so, to receive a copy of that information upon request (subject to certain exemptions). This is called the „Subject Access“ right.

Haringey Council is not obliged to supply any personal information requested, unless the request is in writing, adequate identification of the enquirer has been provided and sufficient information has been given to trace the data. Individuals wishing to apply for a copy of their personal information held by Haringey Council should complete the Subject Access application form which is available online.

It is the responsibility of those who receive personal information to ensure, so far as possible, that it is accurate, valid and up to date. Individuals who input or update

information must also ensure that it is adequate, relevant, unambiguous and professionally worded. Matters of opinion (not fact) must be clearly recorded as such.

Staff should be aware that any information which they record about someone, whether in a handwritten note, in an email or a formal document, may be disclosed to that person upon request. If any staff member is aware that the information recorded is inaccurate, they must take steps to rectify it.

Review and Destruction of Data

Principle five of the Data Protection Act states that "personal data shall not be kept for longer than is necessary". Any personal data held must be reviewed at frequent intervals to ensure that it is accurate, up to date and still relevant. If the personal data held is no longer needed and there is no legal or other reason for holding the information,

Advice from LBH is as follows (March 2011)

Advice for schools about keeping school records

We are often asked by schools how long certain records should be retained by them before they can be disposed of.

It is important to remember that many school records are of invaluable help, not only for former pupils but also for local historical and genealogical research.

There should be a presumption against destroying any records unless it is considered that they are of no such value.

The following guidance is by no means exhaustive but covers the items most frequently asked about.

School log

School logs should be retained permanently. They are retained in the school for 6 years from the date of the last entry; then transferred to the archives.

Admission registers

Admission registers should be retained permanently - note that this is not the same as the class register in which daily attendance is marked. These are retained in the school for six years from the date of the last entry, then transferred to the archives.

Pupil record cards or printouts

- Primary – These are retained while the child is in the school; then transfer to the relevant secondary school.
- Secondary – These are retained until the child is 25 years old and then shredded.

Class registers

Class registers are retained whilst the pupils are still at school and for three years after the last date in the register; then destroyed. For example, if a pupil enters school in September 2001 and leaves in July 2008, the September 2001 register for that class can only be destroyed in August 2011.

Sharing this policy with parents and staff and governors

The policy is contained within the Rowland Hill staff shared network, which all staff have access to. The policy will be discussed with new Governors as part of their induction

Use of the Internet must be governed, like all conduct by staff while on School/Centre premises, by the standards concomitant with their position as a professional member of staff.

Evaluate and Review the Policy

The policy will be displayed in the foyer visible to parent/carers. Governors will have a copy of the policy. Staff, students and part-time staff are given the policy in their induction to the centre.

Ratification

This Policy was reviewed in

This policy was ratified by Governors in: (Name of Governor meeting)

.....

Date:.....

Signed by chair of Governors or Governor Representative:

Print Name:

Signed: Date: