

# Data Protection, Freedom of Information & Privacy Notice

Reviewed by Full Governing Body – July 2017

Frequency of Review: 3 years

Policy based on Guidance from the LA

Amendments

DS/EC/HJ/NF/PJT/JA Federation SLT 29/03/2017

In order to comply with the legal requirements the Governing Body of Penk Valley Federation ensure the following:

- All schools ensure data is stored according to the regulations of the Data Protection Act 1998
- All schools ensure that they have a Privacy Notice
- All schools register with the Information Commissioners Office (ICO)
- All schools have adopted a process for Freedom of Information Requests

### **Data Protection Act 1998**

The Data Protection Act 1998 governs how all personal and sensitive data is processed. It gives individuals (data subjects) rights in how their data is collected, used, stored, shared and disposed of. It requires data controllers - that is anyone who processes personal data, such as a school - to notify the Information Commissioner's Office of the types of personal data that they hold and the purposes for which it will be used.

All data processing must comply with 8 data protection principles in the following terms:

1. Personal data shall be processed fairly and lawfully.
2. Personal data shall be obtained only for one or more specified and lawful purposes.
3. Personal data shall be adequate, relevant and not excessive.
4. Personal data shall be accurate and, where necessary, kept up to date.
5. Personal data processed for any purpose or purposes shall not be kept for longer than is necessary.
6. Personal data shall be processed in accordance with the rights of data subjects.
7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
8. Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection.

Anyone has a right of access to the personal data that has been recorded about them. If a school is asked to provide personal information to the data subject (these requests must be made in writing) it is known as a 'Subject Access Request'. Schools will provide the enquirer with their data in accordance with the provisions of the Act.

In order to comply with the Data Protection Act 1998 schools need to ensure that they have a Privacy Notice in place. See Appendix 2.

### **Freedom of Information Act**

This model publication has been approved by the Information Commissioner, and has been adopted with modifications by Penk Valley Federation.

This publication scheme commits an authority to make information available to the public as part of its normal business activities. The information covered is included in the classes of information mentioned below, where this information is held by any school within the Federation. Additional assistance is provided to the definition of these classes in sector specific guidance manuals issued by the Information Commissioner.

### **The scheme commits all Penk Valley Federation Schools':**

- To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by any school and falls within the classifications below.

- To specify the information which is held and which falls within the classifications below.
- To proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
- To produce and publish methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.
- To review and update on a regular basis the information all schools make available under this scheme.
- To produce a schedule of any fees and charges for access to information which is made proactively available.
- To make this publication scheme available to the public Appendix 1.

### **Classes of information:**

#### **Who we are and what we do.**

Organisational information, locations and contacts, constitutional and legal governance.

#### **What we spend and how we spend it.**

Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.

#### **What our priorities are and how we are doing.**

Strategy and performance information, plans, assessments, inspections and reviews.

#### **How we make decisions.**

Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.

#### **Our policies and procedures.**

Current written protocols for delivering our functions and responsibilities.

#### **Lists and registers.**

Information held in registers required by law and other lists and registers relating to the functions of the authority.

#### **The services we offer.**

Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.

The classes of information will not generally include:

- Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure.
- Information in draft form.
- Information that is no longer readily available as it is contained in files that have been placed in archive storage, or is difficult to access for similar reasons.

### **The method by which information published under this scheme will be made available**

Where it is within the capability of any school, information will be provided on the schools' individual website or the Penk Valley Federation Website. Where it is impracticable to make information available on a website or when an individual does not wish to access the information

by the website, all schools will respond to requests made in writing, clearly indicating what information is required. This method may incur a charge.

In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.

Information will be provided in the language in which it is held or in such other language that is legally required. Where a school is legally required to translate any information, it will do so. This may incur a charge.

Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

### **Charges which may be made for information published under this scheme**

The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. Charges made by any school for routinely published material will be justified and transparent and kept to a minimum.

Material which is published and accessed on a website will be provided free of charge.

- Charges may be made for actual disbursements incurred such as:
- photocopying
- postage and packaging
- the costs directly incurred as a result of viewing information

Charges may also be made for making datasets (or parts of datasets) that are relevant copyright works available for re-use. These charges will be in accordance with the terms of the Re-use of Public Sector Information Regulations 2015, where they apply, or with regulations made under section 11B of the Freedom of Information Act, or with other statutory powers of the public authority.

If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment may be requested prior to provision of the information.

### **Written requests**

Information held by Schools that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act.

### **Contact Details**

Web site: [www.wolgarston.staff.sch.uk](http://www.wolgarston.staff.sch.uk)

Email Address: [j.ablewhite@penkvalley.co.uk](mailto:j.ablewhite@penkvalley.co.uk)

Contact Name: Mrs J Ablewhite – Federation Business Manager

**The Freedom of Information Act 2000  
Schedule of Available Information****Who we are and what we do**

- Instrument of Government
- Individual School prospectus's\*
- Board of Governors – name and contact details\*
- School session times and term dates
- Location and contact information – including contact details\*

**What we spend and how we spend it**

- Annual budget plan and financial statements
- Annual income and expenditure return
- Capital funding
- Additional Funding
- Procurement and contracts
- Pay policy
- Staffing and grading structure
- Governors' allowances

**What our priorities are and how we are doing**

- School profile including Ofsted reports\*
- Performance management information
- School's future plans
- Every Child Matters / child protection
- Wolgarston High School Safeguarding Policy\*

**How we make decisions**

- Admissions policy
- Application numbers
- Minutes of meetings of the Governing body and its sub-committees
- (including agendas and supporting papers)

**Our policies and procedures****Federation Policies**

- All policies are available on individual school websites.
- Vacancy information

**Lists and Registers**

- Curriculum circulars and statutory instruments
- Class registers

**The Services we Offer**

- Extra-curricular activities
- Out of school clubs

**Leaflets, booklets and newsletters**

- Individual School updates
- Sixth Form Prospectus
- 14+ and 16+ Options guides

- Sixth Form Handbook
- Parent Handbook
- Home school agreement

*☒ Information available on school website. Items may occasionally be removed for updating, in which case, please contact the school for copies of information required.*

## Appendix 2

### Privacy Notice

#### Privacy Notice - Data Protection Act 1998

The Penk Valley Federation is the data controller for the purposes of the Data Protection Act. We collect information from you and may receive information about you from your previous school and the Learning Records Service. We hold this personal data and use it to:

- Support your teaching and learning;
- Monitor and report on your progress;
- Provide appropriate pastoral care, and
- Assess how well your school is doing.

This information includes your contact details, national curriculum assessment results, attendance information and personal characteristics such as your ethnic group, any special educational needs and relevant medical information. If you are enrolling for post 14 qualifications we will be provided with your unique learner number (ULN) by the Learning Records Service and may also obtain from them details of any learning or qualifications you have undertaken.

We will not give information about you to anyone outside the school without your consent unless the law and our rules allow us to.

We are required by law to pass some information about you to the Local Authority and the Department for Education (DfE). Where appropriate we will send to the relevant National Health Service personnel (eg: school nurses, the NHS Health Informatics Team) information on individual students changing school (or address) to ensure continuity of health care.

If you want to see a copy of the information about you that we hold and/or share, please contact Mrs J Ablewhite (Business Manager).

If you are unable to access these websites we can send you a copy of this information. Please contact the LA or DfE as follows:

Information Governance Unit  
Staffordshire County Council  
St Chad's Place  
Stafford  
ST16 2LR  
e-mail: [foi@staffordshire.gov.uk](mailto:foi@staffordshire.gov.uk) OR

Schools Information Governance Officer

Tel: 01785 278109 Email: [igu.schools@staffordshire.gov.uk](mailto:igu.schools@staffordshire.gov.uk)