

North Halifax Grammar School

Data Protection and Confidentiality Policy



This policy was considered by the Principal	Spring 2014
To be reviewed every three years. Next review:	Spring 2017
Owner:	Academy Systems Manager

1. Aim

- 1.1 The Academy aims to protect all students' and staff's right to privacy in line with the Data Protection Act 1998 ("the Act"), the European Directive on the Protection of Individuals with Regard to the Processing of Personal Data and on the Free Movement of such data (95/46/EC), and the Employment Practices Code and the Code of Practice.

2. Overview of Data Protection Legislation

- 2.1 The aim of the data protection legislation is to ensure that individuals ("data subjects") know or can find out:
- What personal information is being collected about them and why;
 - Whether it is accurate and kept up to date;
 - In what circumstances it will be provided to third parties;
 - And to ensure that those who collect or process data ("data controllers") do not use personal information in ways incompatible with the stated purpose(s) of the data collection.
- 2.2 This applies whether the information is held in computerised (including e-mail) or manual formats.
- 2.3 The Data Protection Acts 1998 sets out eight principles that must be adhered to at all times:
- Personal data shall be processed fairly and lawfully;
 - Personal data shall be obtained for one or more specified and lawful purposes;
 - Personal data shall be adequate, relevant and not excessive;
 - Personal data shall be accurate and where necessary, kept up to date;
 - Personal data shall be processed in accordance with the rights of data subjects under the Data Protection Act 1998;
 - Personal data shall be kept secure, i.e. protected by a degree of security;
 - 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.
- 2.4 The following sections of this policy set out a brief summary of the provisions of the Act as they are likely to apply to the Academy.

3. Data Controller

3.1 The Academy Trust, as a corporate body, is the “data controller” as defined by the Act. It has ultimate responsibility for compliance with the Act.

3.2 The Principal of the Academy has overall responsibility for the:

- Implementation of the Act’s provisions and Academy policy and procedures;
- Consultation with employees and their representatives with regard to putting data protection procedures in place; and
- Monitoring of this policy.

4. Data Protection Registration and Notification

4.1 The Academy has notified the Information Commissioner, as required under the Data Protection Act 1998, of all current and anticipated uses of personal data by the Academy. If any new issues are identified in the future, they will also be notified to the Information Commissioner. The notification is renewable every year.

5. Definition of Personal Data

5.1 Personal data covers both facts and opinions about an individual. It also includes information regarding the intentions of the data controller towards the individual.

5.2 Personal data can be recorded not only in written form, but also as a photographic image or video recording.

6. Fair and Lawful Processing of Data

6.1 Under the Act, data processing (i.e. obtaining, recording or holding the information or data, carrying out any operation on it) may only be carried out where certain conditions specified in the Act are met.

6.2 In order to ensure compliance with these provisions, it is important that a data subject (in the Academy context, a student, parent or guardian of a student, or current or prospective employee) consents to the collection of the and is informed of the purpose(s) for which the data will be used.

6.3 To avoid the need to obtain staff consent on every occasion, the Academy will ask for a general consent (with an “opt out” provision) when the member of staff joins. An example of a general form of consent, which covers the majority of common uses, is attached at **Annex 1**. The specific contents of the consent form will be reviewed and agreed by the Principal before use.

6.4 To avoid the need to obtain student/parental or guardian consent on every occasion, the Academy will ask for a general consent (with an “opt out” provision) when the student joins. An example of a general form of consent, which covers the majority of common uses, is attached at **Annex 2**. The

general form of consent should be signed when a student first joins the Academy. The Academy will also renew the consent at entry into the Sixth Form. The specific contents of the consent form will be reviewed and agreed by the Principal before use.

7. Data Relating to Students

- 7.1 The Act makes it clear that in order for the processing of personal data, including its collection, to be fair, it is necessary to ensure that those to whom the data relate are aware of the purposes for which their data may be used or disclosed.
- 7.2 Obtaining an informed consent from both parents and students will ensure compliance with the requirements of the Act and will, hopefully, alleviate parents' concerns regarding privacy issues.
- 7.3 Consent needs to be informed, to be valid. In any event, parents and students are much more likely to give consent if they understand the purposes for which the data are to be used. This is particularly relevant for use of photographs.
- 7.4 Ideally, consent should be as specific as possible as to what those uses are. However, it may be administratively cumbersome for the Academy to obtain specific consent on each occasion it wishes to use personal data.
- 7.5 A child over 12 years of age is deemed capable of giving informed consent. Therefore, it is prudent for such a child and their parents to both sign the form. For Sixth Form students, the form could be adapted so that they alone sign it.
- 7.6 Letters or forms produced locally by the Academy requesting the provision of additional personal data, (e.g. relating to school trips) should also carry an appropriate statement, for example: "The personal data provided will be used solely in connection with running the school trip, and will not be retained after the trip has taken place".

8. Proposed uses for data

- 8.1 Where personal data needs to be processed in circumstances where the general form of consent (referred to above) has not been completed or does not cover the proposed use, the most appropriate course of action depends upon exactly what the proposed use is:
- 8.2 Data on Websites
 - a) The general form of consent does not provide consent for the publication of personal data on the Academy's website as the publication of information on a web site requires a more informed consent, particularly where the personal data involves images of children.
 - b) An example website consent form is attached at **Annex 3**. Consent in these circumstances will only be sought from those students (and their parents) whose photographs (or other personal data) are actually to be used on the website. This form can also be used where a wider consent for website use is required (e.g. it is not possible, at the time, to list all of

the specific purposes for which photographic images may be used in the future).

8.3 Photographs and Videos

- a) The Information Commissioner (who is responsible for enforcing the Act) has issued specific guidance on the taking of photographs in schools. The Act is unlikely to apply in many cases where photographs are taken in schools and, where the Act does apply, the common sense approach of asking permission to take a photograph will often be enough to ensure compliance.
- b) For the avoidance of doubt, images for personal uses (e.g. a parent photographing a child and friends at a sports day to be put in the family photo album or a grandparent filming a school play) are exempt from the Act.
- c) Photographs taken for official school use may be covered by the Act and students should be advised why they are being taken. In summary, it is not strictly necessary to get the consent if the use is necessary for purposes connected with legitimate interests of the Academy.
- d) Specific examples are outlined below. Note that consent for the below uses can be obtained using the general form of consent (or with verbal consent as recorded on the form attached at **Annex 4**).

8.4 Archive photographs

- a) In addition to considering the legitimate interests of the Academy, there is no need to notify the former students of the purposes for which the data is being processed if doing so involves a disproportionate effort on the Academy's part (e.g. costs are significantly greater than any prejudice the former students may suffer). When re-using old photographs, common sense still needs to apply; otherwise the increased prejudice the former student may suffer might tip the balance so that the disproportionate effort exemption no longer applies.

8.5 Group photographs

- a) Ideally, the parents and students who have not already given their consent should be notified in advance of the uses to which the photograph is to be put and given the opportunity to opt out. Any students who have expressly withheld their consent should be excluded as far as possible. For example, if a small group of students are photographed during a science lesson and the photo is used in a school prospectus, it is unlikely to be personal data and the Act wouldn't apply. Alternatively, if photographs are taken for building passes and are likely to be stored electronically with other personal data, the Act would apply.
- b) Even though most school literature is sent to a very specific audience, the full name of any child in the photograph should not be disclosed unless specific consent has been given to make that disclosure. Instead, only very general labels, such as "a science lesson" should be used.

8.6 Individual Photos

- a) Unless specific consent to do so has been obtained, the individual student should not be identified e.g. if a photograph of an individual (such as a prize winner) is to be used in a newsletter or calendar, avoid naming that student in the text or caption accompanying the photograph unless you have their consent to do so.

8.7 School Events

- a) If pictures are being taken at an event attended by large crowds, such as a sports' day, this is regarded as a public area so the permission of everyone in the crowd shot is not needed. People in the foreground are also considered to be in a public area. However, the photographer should address those within earshot, stating where the photograph may be published and giving them the opportunity to move away. If an image of, for example, a race winner is to be used – the crowd in the background – the race winner's verbal permission should be sought and recorded using the verbal consent form. Images of students in suitable dress should only ever be used to reduce the risk of the images being disclosed inappropriately e.g. photographs of children in swimming costumes should not be used.

8.8 Press photographs

- a) Occasionally, members of the press may take photographs or film footage at a school e.g. at a school ceremony or if the Academy is visited by a dignitary. While the press are exempt from the Act, if the Academy specifically invites the press in for a photo call, the Act applies.
- b) Some parents may object to their children appearing in the media and therefore, it is advisable to try to obtain consent in advance. The Information Commissioner has stipulated that where a photograph is taken by press, provided that the school has agreed to this and the students and/or their guardian are aware that the photographs of those attending the ceremony may appear in the newspaper, the Act will not be breached.

8.9 Using exam results

- a) The Information Commissioner has issued significant guidance on the publication of exam results. The guidance recognises that such publication is likely to be necessary for the purposes of legitimate interests pursued by schools.
- b) Although the Information Commissioner does not think that students or their parents must give their consent to the publication of examination results, it is best practice if the Academy ensures that students and their parents are made aware that examination results may be published. It may also be necessary to explain the form in which publication will take place.
- c) In a small number of cases, publication can cause distress. When informing students or their parents that examination results are published, schools should, therefore, advise them of the right to object to publication.

8.10 Medical information

- a) See “Sensitive personal data” section below.

9. Consent withheld by parent or student

- 9.1 If a student, or the student’s parents, expressly refuses to give consent to a proposed capture or use of data, that data should not be obtained or used (unless to do so is impractical, and you have fully assessed the likelihood of that student suffering harm or damage as a result and have concluded that the risk is insignificant). However, the parent or students should be informed that the refusal will, regrettably, mean the student not being able to participate in the activity in question, be it a photograph, a play or other event. Parents may be less inclined to object if it will lead to a child missing out on an experience that their friends will be able to enjoy.

10. Data Relating to Staff

- 10.1 Within the Academy the Principal will determine who has access to information.
- 10.2 Data relating to staff in specific contexts is detailed below. The length of time such records are retained is included in the “Data Retention” section of this policy.

11. Data from Recruitment Process

- 11.1 Confidential references should not be disclosed except with the permission of the provider.
- 11.2 Background checks such as Standard Disclosures and Enhanced Disclosures through the Disclosure and Barring Service must not be kept on an individual’s personal file – it must be kept separately in a locked drawer or cupboard where it can only be accessed by those authorised to see it. It must be destroyed after 6 months by a secure method (shredding, burning or pulping) and whilst waiting for destruction must be kept secure i.e. not lying around in a shredding sack or bin. A note should be kept on the personal file of the date of the disclosure, its unique reference number, the nature of the employment for which it was requested and any recruitment decision taken.
- 11.3 In advertising for posts the Academy will include a statement in application packs setting out the purposes for which personal information may be used. (It could be a simple statement; ‘Personal information provided by candidates will be kept on a secure file in the Academy and will not be released to third parties outside the Academy without the permission of the person concerned, except where there is a legal requirement to do so.’)
- 11.4 Requests for employment references for staff who will have responsibility for handling personal data should contain a sentence to the effect that: “If X handles personal data please comment on his/her reliability.” This is likely to be relevant for most staff.

12. General Staff Records

- 12.1 Staff records are subject to the provisions of the Act and data, including performance reviews and disciplinary warnings is confidential.
- 12.2 Staff wishing to see their own personal file should make an appointment with the Principal. Copies of data held on file may be taken, but original documents must not be removed. Confidential references will not be disclosed except with the permission of the provider.
- 12.3 The procedure for access to personnel files is set out in **Annex 5**.

13. Health Records

- 13.1 In relation to sickness and ill-health records, the Academy should only retain information that is necessary to establish an employee's fitness for work. The Principal has the responsibility for determining what records are necessary.
- 13.2 No information about any of the health records should be made available unless it is necessary to order that that employee can fulfil their managerial role e.g. Principal or staff appointed to work on HR matters by the Principal.

14. Sensitive Personal Data

- 14.1 Sensitive personal data, as defined in the Act, includes information relating to racial or ethnic origin, political opinions, religious or other beliefs, trade union membership, physical or mental health, sex life, and criminal proceedings or convictions.
- 14.2 Sensitive data can only be processed under strict conditions, such as where the explicit consent of the student or the staff member has been obtained.
- 14.3 The Academy forms, such as medical questionnaires, should include a provision for the individual's consent to be given.
- 14.4 Ethnic data, obtained solely for the purposes of monitoring equality of opportunity, are exempt from these provisions, but student ethnic data may require consent in accordance with DfE requirements.
- 14.5 Any letters or forms produced by the Academy that request sensitive personal data must provide for evidence of the individual's consent (e.g. "I agree to the information being used for ...Signed ...").

15. Vital Interests Exemption

- 15.1 Sensitive data may also be disclosed in order to protect the vital interests of a student in circumstances where consent cannot be given or the Academy cannot reasonably be expected to obtain the consent.
- 15.2 This may apply where child protection is an issue and a student is known to be at risk or where it would be severely prejudicial to them continuing development to withhold the sensitive data.

16. Requests for Access to Information from Data Subject

- 16.1 A data subject has the right to be provided with a hard copy of information held in relation to him or her within 40 days of making a request for the same. The Academy will not normally charge for access to information, although it does reserve the right to do so up to a sum of £10.
- 16.2 The data subject should be informed of the reasons why the data is being held and to whom it will be disclosed.
- 16.3 The Academy may receive requests from parents to view their son / daughter's educational or medical records. For students over 12, the student themselves should agree to the request. There is no statutory right for parents of students to view their son / daughter's records as there is in maintained schools. Such requests will, of course, need to be handled sensitively in all cases.
- 16.4 The Principal should determine who has authority to disclose data requested by parents and/or students, and all staff should be aware of the steps to be taken if a request is made. In particular, such staff should check if the information falls into an exempt category which is not required to be disclosed. This includes:
- a) Information leading to the identification of another (the identifying information should be removed if this is possible);
 - b) Confidential (i.e. not open) educational or employment references given by the Academy;
 - c) Information contained in management forecasts if this would be prejudicial to the conduct of the Academy – N.B. this does not cover information relating to the conduct/competence of a data subject;
 - d) Negotiations with the data subject;
 - e) Examination of scripts (although examiners' comments in the margin are not exempt);
 - f) Request for exam marks – these do not need to be supplied until 5 months after the exam date or 40 days after the results are issued, whichever is the sooner; and
 - g) Personal data that it processed only for research purposes in compliance with the relevant conditions.
- 16.5 The data subject has the right to prevent processing if it is causing damage or distress. This does not apply if consent has previously been obtained or if the processing is necessary for contractual purposes or to comply with the law (e.g. releasing information to the police).
- 16.6 The data subject has the right to opt out of direct marketing. Parents (and staff) should be given the right to opt out of marketing initiatives.
- 16.7 The data subject can apply to the Court to force correction or removal of inaccurate data. It is hoped however that steps would have been taken to correct the error long before it got to this stage. In the event of a claim being made by a data subject the Chair of Governors and the Principal must be notified immediately.

17. Disclosure to Third Parties

- 17.1 All staff should be aware that they should not release personal data to a third party without the consent of the data subject. Some common examples of circumstances where specific consent would have to be sought are where someone asks for an employee's home address; a building society asks for earnings details for mortgage purposes; or a journalist asks for personal details of a student. There may however be occasional circumstances when outside bodies have a statutory right to such information without consent.

18. Police Investigations

- 18.1 There is an exemption under the Act that can be applied if the police need information to prevent or detect crime or catch or prosecute a suspect. However, this exemption does not cover all personal data in all circumstances. If the information is going to be used for the stated purpose and if, by not releasing it would be likely to prejudice any attempt by the police to prevent a crime or catch a suspect, then this information can be disclosed.

19. Fraud Detection

- 19.1 Data matching for fraud detection (e.g. to detect whether the employee is receiving state benefits or not) are possible. Before the Academy participates in such a scheme the staff will be consulted. New employees must then be told of this scheme, and all employees should be reminded of it periodically under arrangements made by the Principal and approved by the Governing Body.

20. Pension and Insurance Schemes

- 20.1 Information may be supplied to a third party for pensions and insurance schemes, where such information is necessary. The employees concerned must be informed about how the information will be dealt with.

21. Required by Government or Local Authority

- 21.1 Information on both students and staff is periodically required by the government or local authority. This is sensitive personal data, and the information should be kept to a minimum, and as far as possible in an anonymous form.

22. Send Data Abroad

- 22.1 Personal data must not be transferred outside the European Economic Area unless it is being transferred to a country which has a similar data protection regime in force as the UK, or the data subject expressly consents to the transfer.

23. Security of Data

- 23.1 The Act requires that appropriate technical and organisational measures are taken against unauthorised and unlawful processing of personal data and against accidental loss or destruction of it.
- 23.2 The Principal will take necessary precautions to ensure that both electronic and manual files are secure. The Academy will ensure that appropriate steps

are taken to prevent unauthorised access to computer and manual records. The Information Commissioner has advised organisations to audit their Information Security Management systems against BS 7799. Personal files must be kept secure, in locked cabinets, and not left lying about where they can be seen by unauthorised third parties.

- 23.3 If a staff member's duty, as an employee of the Academy, involves collecting, using or storing of data about current or prospective students, parents or staff, the staff member has a number of legal responsibilities. These responsibilities apply whether the data is held on a computer or kept as a paper-based record, and includes items such as applications for employment, personal details collected for school trips, or staff home telephone number lists, as well as standard students and staff personal files. The staff member's responsibilities include to:
- a) To collect only data that is relevant and necessary for the purpose;
 - b) To use the data only for the purpose specified;
 - c) To ensure that the data is accurate and kept up to date;
 - d) To ensure that the data is kept securely and not disclosed to unauthorised people, and
 - e) To ensure that the data is not kept for longer than necessary.
- 23.4 no manual or electronic employees files will be taken off the premises except in an emergency, or when expressly authorised by the Principal.
- 23.5 The Academy's emergency plan should provide for back up computer data to be held securely off site. Paper records should be stored securely and reasonable precautions should be taken against loss or damage.

24. Retention of Personal Data

- 24.1 As stated above, a principle of the Act is that personal data should not be kept for longer than is necessary for the purpose for which it was obtained. Necessity will depend on the type of data and also the determination of risk, coupled with pressures of storage space in schools. It would be impossible for all records to be kept forever and therefore a pragmatic view must be taken.
- 24.2 However, in the event of a claim being made against the Academy, it is important that there are appropriate records to fully investigate and potentially defend any allegations made. The difficulty for schools is that students can bring a claim in their own right (rather than through their parents) once they reach the age of 18 and therefore there remains the possibility of a student bringing a claim against a school up to 6 years after they have left senior school.
- 24.3 As above is the case key student records be retained until the student is aged 25. What is "key" will depend on the child and whether there are any particular concerns for their development, welfare or behaviour. For example, where there are key meetings concerning a student, such as with her parents to discuss her behaviour or academic difficulties, a copy of the notes taken should be retained for the relevant period.
- 24.4 The table set out in **Annex 6** summarises documents that should be retained and the minimum standards that should be followed for record retention. The Principal should ensure that procedures are in place for an annual review of

records held to ensure that records are not kept longer than necessary and that expired disciplinary records are removed and destroyed.

- 24.5 Records containing personal data should be destroyed by shredding or by some other secure method. Personal data that is processed only for research purposes in compliance with the conditions set out in the Act may be kept indefinitely.

Monitoring, evaluation and review:

The Academy will review this policy annually and assess its implementation and effectiveness. The policy will be promoted and implemented throughout the Academy.

The Principal will report on the effectiveness of the policy to the Governing Body as appropriate.

Signed: _____ Date: _____

Chair of the Governing Body

Example Personal Data Consent Form for Staff

Dear [name of member of staff]

In order to comply with the Data Protection Act 1998 we seek your express consent to the use of Personal Data relating to you by The North Halifax Grammar School for the purposes set out below.

Please confirm, by ticking the appropriate boxes, to which of the following uses of your Personal Data you agree:

1. In material produced by or on behalf of the Academy primarily intended for internal use or display in the School or for circulation amongst any or all of the following – current and former students and their parents, guardians and carers, The North Halifax Grammar School employees (e.g. the Staff Handbook, newsletters etc):

Yes

No

2. In material produced by or on behalf of the Academy primarily intended to inform the public (e.g. prospectuses) or for publicity or promotional purposes (e.g. press releases, promotional videos):

Yes

No

3. On the publicly available Academy website from time to time to primarily inform the public, or for publicity or promotional purposes:

Yes

No

Please note:

We will only divulge Personal Data to the extent necessary for the purposes concerned, and will use our discretion sensitively and with due regard to your privacy.

We will not disclose (1) “sensitive personal data” as defined in the Data Protection Act 1998, or (2) address, telephone or email details without your explicit consent, unless the disclosure is strictly necessary to protect your vital interests.

In this form the term:

“Personal Data” means, for the purposes of the consents sought, photographic or video images of, and/or information relating to, the member of staff named below including his/her name, age, qualifications, career achievements and career history.

Name of member of staff: _____

Signed: _____

Date: _____

Example Personal Data Consent Form for Students

Dear Parent / Carer

In order to comply with the Data Protection Act 1998 we seek your and your son / daughter's express consent to the use of Personal Data relating to your son / daughter by the Academy for the purposes set out below.

Please confirm, by ticking the appropriate boxes, which of the following uses of your son / daughter's Personal Data you and your son / daughter **both** agree to:

1. In material produced by the Academy primarily intended for internal use or display in the School or for circulation amongst any or all of the following – current and former students and their parents, guardians and carers, The North Halifax Grammar School employees and staff (e.g. newsletters):

Yes

No

2. In material produced by or on behalf of the Academy primarily intended to inform the public (e.g. prospectuses) or for publicity or promotional purposes (e.g. press releases, promotional videos):

Yes

No

Please note:

We will only divulge Personal Data to the extent necessary for the purposes concerned, and will use our discretion sensitively and with due regard to your son / daughter's privacy.

We will not include the full name (which means first name and surname) of any child together with his/her image, without good reason. For example, we may include the full name of a competition prize winner if we have their consent. Likewise, if we use images of individual students, we will not use the name of that child in the accompanying text or caption without good reason.

Should we wish to use any Personal Data relating to your son / daughter on the Academy website, we will write to you separately and ask for your and your son / daughter's specific consent to do so, and explaining in detail what data we would like to use and why.

We will not disclose (1) "sensitive personal data" as defined in the Data Protection Act 1998, or (2) address, telephone or email details without your and your son / daughter's explicit consent, unless the disclosure is strictly necessary to protect your son / daughter's vital interests.

In this form the term:

"Personal Data" means, for the purposes of the consents sought, photographic or video imaged of, and/or information relating to, the students named below including her name, age, subjects studied, public examination results, awards achieved, and participation in extra-curricular activities.

Name of parent or carer: _____

Signed: _____

Date: _____

Name of student: _____

Signed: _____

Date: _____

Example of Personal Data Consent Form for Students for Websites

Dear Parent / Carer

In order to comply with the Data Protection Act 1998 we seek you and your son / daughter's express consent to the use of Personal Data relating to your son / daughter by the Academy or the purposes set out below.

[Either**

Please confirm, by ticking the appropriate box[es], whether or not you and your son / daughter **both** agree to the following use[s] of your son / daughter's Personal Data on the publicly available Academy websites:

List specific details of the data and the use to which it will be put on the website. For example:

A photographic image of your son / daughter winning an event on sports day will be displayed on the Academy website together with a caption naming your son / daughter and confirming details of the event:

Yes

No

OR**

Please confirm, by ticking the box, whether or not you and your son / daughter **both** agree to the use of your son / daughter's Personal Data on the publicly available Academy website from time to time primarily to inform the public, or for publicity or promotional purposes:

Yes

No

**** delete as appropriate]**

Please note:

We will only divulge Personal Data to the extent necessary for the purposes concerned, and will use our discretion sensitively and with due regard to your son / daughter's privacy.

We will not include the full name (which means first name and surname) of any child together with their image, without good reason. For example, we may include the full name of a competition prize winner if we have their consent. Likewise, if we use images of individual students, we will not use the name of that child in the accompanying text or caption without good reason.

We will not disclose (1) "sensitive personal data" as defined in the Data Protection Act 1998, or (2) address, telephone or email details without your and your son / daughter's explicit consent, unless the disclosure is strictly necessary to protect your son / daughter's vital interests.

In this form the term:

“Personal Data” means, for the purposes of the consents sought, photographic or video imaged of, and/or information relating to, the students named below including her name, age, subjects studied, public examination results, awards achieved, and participation in extra-curricular activities.

Name of parent or carer: _____

Signed: _____

Date: _____

Name of student: _____

Signed: _____

Date: _____

Example Verbal Consent Form

Event (e.g. sports' day) _____

Location: _____

Date: _____

[Insert the name of the student to be photographed or recorded] has verbally agreed to have their *photograph taken / *be videoed.

In accordance with the Data Protection Act 1998, [insert the name of the student to be photographed or recorded] *and/or their parents have agreed that (please tick the correct boxes)

1. We may use these images in / on the following:

School newsletter School prospectus Press release Promotional Video School website Other promotional / publicity material*

*Please specify _____

2. We may disclose their full name in connection with the use of these images:

Yes No

In this form, the term "School" means The North Halifax Grammar School.

Your name: _____

Signed: _____

Date: _____

School: _____

*Please delete the options that do not apply.

Procedure for Access to Personnel Files

1. Principles

1.1 The principles that should be adopted in ensuring compliance with the Academy policy are as follows:

- All staff who have access to personnel files have a duty to maintain the confidentiality of information held on such files.
- No information held on the personnel files should be disclosed to unauthorised third parties.
- All personnel files will be securely held.

2. Employee Access to Personnel Files

2.1 Employees wishing to view their own personnel file must submit an advance written / email request for access to the Academy Finance Director or Principal.

2.2 The Academy Finance Director will provide the employee with a date and time when they are able to view their personnel file. This will be as soon as is reasonably practical but in all cases will be within 10 days of receipt of the request. Identity must be confirmed when staff attend to see the Academy Finance Director and employees will be accompanied by the Academy Finance Director when attending an appointment to view their personnel file.

2.3 No employee is allowed to remove any item appropriately stored in any personnel file.

2.4 Copies of any documents may be made if required and the Academy reserves the right to charge for this service in line with the legislation.

3. Management Access to Personnel Files

3.1 Personnel files of employees may be accessed by those in a management position only in the course of performing their job functions and on a need to know basis.

3.2 Managers are entitled to access the personnel files of those for whom they are managerially responsible.

3.3 Personnel files should not normally be removed but if a Manager does need to remove a file they must sign for the file and return it within 48 hours.

3.4 All files taken must be stored in a secure location.

4. Information that will not be subject to access.

4.1 Under the Data Protection Act 1998, employees are not entitled to access information in relation to :

- Information that identifies any third party without the consent of that third party (this includes references provided to the Academy by others).
- Information of a medical nature, except where cleared by a suitable “health professional” who must confirm that the information to be disclosed does not contain anything which could cause serious physical and/or mental harm to the employee or any other person. Such material will not be disclosed to the employee without medical clearance.

5. Incorrect information on the personnel file

5.1 If an employee disagrees with any information that is held on their personnel file, they must immediately notify either their manager or the Principal. The employee may ask for the information to be corrected, deleted or they may write a file note disagreeing with the said item.

5.2 The final decision regarding revising, deleting or adding a file note rests with the Principal.

Record Retention Schedule

Type of Data	Recommended period for retention
Students	
Admission documents	<p>Unsuccessful candidates – 1 year.</p> <p>Withdrawals – 1 year.</p> <p>Successful candidates – 6 years after the student leaves.</p>
Coursework – Centre based	<p>When no longer needed, the Academy can return coursework to the student, keep it or destroy it, provided any exam board appeal period has passed.</p> <p>If students sit exams with several exam boards, it may be administratively convenient to set a longstop date for retention of coursework by reference to the last appeal date.</p> <p>A sample of coursework demonstrating the range of the Year Group, plus records of marks obtained, should be retained.</p>
Exam Scripts – External	<p>Papers are retained by relevant exam board in accordance with their regulations.</p> <p>However, if a student appeals to the exam board against their final grade, they may also bring a claim against the Academy for failure to educate. Keep any relevant student data when complaints/remarks have been made throughout a student's course.</p>
Exam Scripts – Internal	<p>These provide useful evidence of a student's capabilities and identify difficulties. The Academy can return papers/provide copies to students to review post-exam, but are encouraged to keep original papers.</p> <p>Ideally, all internal papers should be kept until the student reaches 25. However, failing this, keep key stages, such as Years 7 and 9 and mocks. It may be that more material are kept in the case of problem students.</p> <p>A record of marks should be kept on a student's file until they are aged 25. A representative selection of de-personalised papers for each year group should also be kept, plus records of marks obtained.</p>
Registers	Six years after a student leaves school (retention period recommended by JISC).

School Trips – Risk Assessments and General Paperwork	One year for use in future planning, unless problems were experienced, in which case retain until relevant student(s) reach age 25.
School Trips – Permission Slips	Generally, if no untoward incidents, suggest for 1 month after trip. If problems experienced, then retain until relevant student(s) reach age 25.
Summary student record (i.e. period of attendance, and other basic information).	To be retained in archive perpetuity.

Staff	
Staff records	Generally 6 years from end of employment. See below for details of retention periods for specific documents. Note: disciplinary records must be removed in accordance with the time limits specified in the disciplinary procedures.
Written particulars of employment, contracts of employments and changes to terms and conditions	6 years from end of employment.
Application form (and other recruitment materials including notes of phone calls made/received)	6 months from end of employment (or six months from date of rejection).
References received	1 year from date received unless person employed in which case 6 years from end of employment.
References given/information to enable reference to be provided	6 years from reference/end of employment.
Induction and training records	6 years from end of employment.

Records relating to promotion, transfer, training, disciplinary Matters	6 years from end of employment.
Summary of record of services e.g. Name, position held, dates of employment	6 years from end of employment.
References provided for ex-employees	5 years.
Police Checks – DBS Disclosures	Kept for 6 months then securely destroyed. Keep date of disclosure and unique reference number.
References provided for ex-employees	5 years.
Applications for jobs – where the candidate is unsuccessful	6 months (recommended by The Discrimination Acts 1975 and 1986 and the Race Relations Act 1976).
Expense accounts	6 years.
Sickness records	3 years after the end of each tax year for Statutory Sickness Pay purposes.
Health and safety records	3 years (personal injury time limit).
Maternity records	3 years from the end of the tax year in which maternity pay period ends.
Annual leave records	2 years from the end of annual leave year, or longer if leave carried over.
Unpaid leave/special leave records	6 years from date on which made.
Annual appraisal/assessment records	6 years from end of employment.

Pension records relating to employees	12 years after benefit ceases.
Summary staff record (i.e. period of employment and other basic information, including details of unpaid absences, pension related information, and records relating to an accident or injury at work).	Until individual is aged 72.