



## RECORDS, ACCESS AND PRIVACY POLICY

UCST schools and ULT academies will record, maintain and process data on students and parents in accordance with the requirements of the law and, particularly, the Data Protection Act 1998.

### KEY REQUIREMENTS

#### Schools/Academies

- must keep and maintain an official student record for each student, which includes reports to parents, academic record, other skills and abilities and progress at the school/academy. This record may also contain information in relation to behaviour and family background
- must respect an individual's right to privacy and take steps to ensure that personal information is not disclosed
- must ensure that all data and records have the integrity to bear rigorous external scrutiny in the event that they may be used as evidence in law
- must inform parents and students about the collection and use of data. (Note: A suggested form of words is provided in Appendix 1 and the UCST/ULT Privacy Statement in Appendix 2.)
- must, except in matters relating to child protection and criminal activity, gain explicit consent from parents/students regarding the use of 'sensitive' data as defined in Appendix 3
- must publish information relating to students' academic achievements and progress annually to the DfES, which should be undertaken in line with DfES guidelines
- must present all other academic data relating to past or present students, used for any purpose outside the school/academy, in anonymous format
- must gain parental permission prior to involving outside agencies, except in the circumstances outlined above
- must not, under any circumstances, pass on personal information about students to representatives of the media.
- must store all data relating to students and parents in a secure place so that only those with authorisation are able to gain access
- must destroy all data relating to students and parents once the purpose for it has passed.

- Schools and academies must respond to a request from students and parents for access to personal data within 40 days of receiving the request. In the case of a request to access the student's official school record, this must be provided within 15 school days. The time scale for responding to requests to access examination results is 5 months from the date of receiving the request or 40 days from the announcement of the results.

## **1. Aims and Objectives**

- 1.1 These notes of guidance are designed to reflect the principles that underpin the Data Protection Act 1998 which are provided in Appendix 3.
- 1.2 Sensitive personal information about past or present students should only be disclosed to external agencies known to be acting for and on behalf of individual students or their parents. This may include some of the following agencies and professionals:
  - a) Connexions
  - b) Social Services
  - c) Educational Psychologists
  - d) Medical Professionals
  - e) Education Support Services
  - f) Police
- 1.3 Medical emergency procedures will take account of prior information collected from medical forms completed by parents. In cases of medical emergency, parents should be notified of any action taken without delay.
- 1.4 Within a school or academy there will be a need for staff to be informed of individual student information both for academic and pastoral reasons.
- 1.5 Teaching and relevant support staff need academic data to enable them to plan and target effectively. Teaching staff should discuss individual achievement data with the individual concerned and their parents. The publication of individual achievement data should be timely and linked to a specific and relevant purpose. The unnecessary publication of individual achievement data for groups of students should be avoided.
- 1.6 Personal tutors (or equivalent) will need to have an overview both of academic achievement data and personal information data, and should discuss these with the individual student and parents as appropriate. The personal tutor should also inform appropriate staff of individual personal data if it is deemed necessary to ensure that the student is taught and cared for appropriately. Staff should not reveal or discuss personal information regarding individual students beyond this.
- 1.7 All teaching and support staff should be notified of any medical information relating to students at the start of each academic year. The senior members of staff responsible for student admissions should prepare a Medical Information Register at the start of the academic year for those students entering the school/academy. The Medical Information Register should then be updated for all other year groups and published annually to all teaching and support staff. Prompt additions and dissemination of information should be made for students admitted 'within year'.
- 1.8 Students or parents acting on behalf of students have a legal right to have access to their official school record as well as the personal data which makes up the record. The following procedure may be used:

- a) The student makes a written request to the Head/Principal to see his or her official record and personal data.
  - b) The Head/Principal authorises the request once satisfied that the person requesting the information is the student. A student may be asked for information to verify his/her identity in, for example, the case of a former student who may not be currently known to the school/academy. The Head/Principal informs the member of staff with responsibility for student records of the request.
  - c) The member of staff responsible for student records secures the requested information within 15 school days of the request.
  - d) The appropriate person will contact the student and make the official record, including the personal data, available for viewing on the school/academy premises; advisedly, depending on circumstances, in conjunction with an appropriate member of the senior management team. The original information must remain within the school/academy.
- 1.9 Parents have an independent legal right to have access to their child's official school record.
- a) The parent makes a written request to the Head/Principal to see their child's official school record.
  - b) The Head/Principal authorises the request once satisfied that the person requesting the information is the parent. The Head/Principal informs the member of staff with responsibility for student records of the request.
  - c) The member of staff responsible for student records secures the requested information within 40 days of the request.
  - d) The personal tutor will contact the parent and make the official record available for viewing on the premises; advisedly, depending on circumstances, in conjunction with an appropriate member of the senior management team. The original information must remain within the school/academy.
  - e) If a parent requires a copy of the documentation the school/academy is entitled to make a charge of £10 to the parent.
- 1.10 Because parents have an independent right of access to their child's official school record, students themselves have no right to prevent their parents from obtaining a copy of the record.
- 1.11 In responding to a request for a hard copy of a school record, the school/academy is entitled to make a charge on a sliding scale from £1 (1-19 pages) to £50 (more than 500 pages) depending on the number of pages in the record.
- 1.12 Where the school/academy has been informed of separation or divorce it should in normal circumstances routinely duplicate data to both parents and offer reciprocal services to each, having prudently sought to obtain the prior agreement of both parents to such an arrangement.

## **2. Examination Results**

- 2.1 Under the DPA it is accepted that the disclosure of examination results by the school/academy to the local media for publication is a necessary legitimate reason.
- 2.2 In order to ensure that such disclosure is fair, the school/academy should ensure that students and their parents are made aware that examination results may be published and in what format. It is not necessary for students or their parents to give consent, but the school/academy should advise students and their parents of the right to object.

### **3. Confidential References**

- 3.1 Under the DPA there is no general exemption preventing confidential references, including school references, from being accessed by the person to whom the reference applies.
- 3.2 There is, however, a special exemption which means that when the reference is in the hands of the organisation which gave it, the reference remains confidential and is not subject to the DPA. Once the reference is in the hands of the receiving organisation it is no longer exempt from the provisions of the Act. The recipient organisation is entitled, however, to take steps to withhold information that reveals the identity of other individuals such as the author of the reference.

## **Appendix 1: Data Protection**

UCST and ULT collect and process data relating to students and parents (including relatives, guardians and carers) for educational and educational-related purposes and for advertising, marketing and public relations. Detailed information about the processing of data can be found on the [Data Protection Register](#).

I am aware that:

- The academy will create and maintain computer and paper records on me and my child, both during his/her time as a student on the school/academy course and after he/she leaves the school/academy;
- These records will be processed in compliance with the Data Protection Act 1998.

I consent that the information in the records may be used for reports both internally within the school/academy and to external bodies working with the school/academy.

The full Privacy Statement can be obtained through the school/academy office.

## Appendix 2: UCST/ULT Privacy Statement

The UCST/ULT Group is committed to protecting the privacy of everyone who provides us with information about themselves, or, in the case of parents and carers, their children. Under the Data Protection Acts of 1984 and 1998, we must comply with certain regulations which are designed to ensure that any data you provide to us is processed with due care and attention.

### 1. **Who collects this information?**

All data collection and storage is done in-house by the schools or academies, or the central administrative offices of UCST/ULT. We collect personal information from you through the use of enquiry, application for admission, application for employment, CVs, online registration forms and every time you write or e-mail your details to us. We are an independent not-for-profit charitable organisation. The information you give us is not shared with a parent company or with any related businesses.

### 2. **How is my information stored?**

The data you provide us with is stored on secure database servers which can only be accessed via a coded user ID and encrypted password system. Some data may be stored in a safe place in hard copy. Electronic copies of the data are also securely stored off-site for back-up purposes.

#### **Security**

Our databases and websites have security measures in place to protect the loss, misuse and alteration of the information under our control. Data stored in hard copy is also subject to restricted access.

### 3. **With whom is my information shared?**

We do not sell, rent, share, trade or give away any of your personal information to any third parties unless for a purpose directly related to the work of the schools and academies or of UCST/ULT. Universities, other educational institutions, the LEA and DfES and the Connexions service have access to official student records. In some very limited circumstances we may be required to share information with social services, the police and/or health services. Sensitive personal information will not be shared with an external agency without your explicit permission, except in situations which involve or are thought to involve allegations of criminal activity or child abuse. We will not release your information to any student or parent without your prior consent. We also use information in aggregate form (so that no individual user is identified):

- a) to aid strategic development;
- b) to monitor educational achievement;
- c) to audit employment policies;
- e) to build up marketing profiles.

### 4. **What is your information used for?**

The information you provide is used primarily for administrative purposes in order to enable the schools and academies within UCST/ULT to carry out their function and to provide an educational service for students and their parents. We do not collect data unnecessarily and we destroy information held about you as soon as it is no longer required.

From time to time we would like to use student work and images in order to illustrate marketing and educational brochures. The purpose is to celebrate success. We will not do this in a way which would enable anyone to identify you or your child as an individual. If we wish to use information in a way which might mean you were able to be identified as an individual, we will ask for your prior consent or, in the case of students under the age of 16, the prior consent of a parent or carer.

5. **Making changes to your data**

You can revise any information you have provided to the school, academy or UCST/ULT by contacting the school or academy office, by telephoning 01832 735105 or by e-mailing [admin@church-schools.com](mailto:admin@church-schools.com). You may also make a request to be removed from our database provided you are not a parent of a current student or a student joining the school/academy, a current student or student joining the school/academy, or an employee.

6. **How will we communicate with you?**

We will call, write or e-mail you when we need to communicate with you regarding an educational, administrative or an employment matter. We may also post or e-mail a general newsletter from time to time which you can opt out of at any time.

7. **How do we let you know if our policy changes?**

Any policy changes required either as a result of organisational reasons or changes in legislation will be posted on this page or, if substantial, may be promoted on the website or through a separate communication.

8. **Data Protection Acts 1984 and 1998**

These are the Acts of Parliament which set out principles relating to the use of data to ensure that the rights of the person who is the subject of the data are protected under the law. You can get general information on Data Protection by clicking here: [www.dataprotection.gov.uk](http://www.dataprotection.gov.uk).

9. **Contacting us**

If you have any questions about this privacy statement, the way in which your information has been or may be used, or your dealings with either a school, academy, UCST/ULT, you can contact us at the school or academy office, or by telephoning 01832 735105, or by e-mailing [admin@church-schools.com](mailto:admin@church-schools.com).

## Appendix 3: The Principles which underpin the Data Protection Act 1998

- 1.1 Personal data is defined as data where the individual is capable of being identified from the data.
- 1.2 The eight principles which underpin the DPA can be summarised as follows. The Act states that data must be:
  - a) Fairly and lawfully processed;
  - b) Processed for one or more specified and lawful purposes;
  - c) Adequate, relevant and not excessive in relation to the purpose(s) for which they are processed;
  - d) Accurate and, where necessary, kept up to date;
  - e) Not kept for longer than is necessary;
  - f) Processed in accordance with the rights of the person to whom the data refers;
  - g) Kept securely and protected against unauthorised or unlawful processing and against accidental loss, destruction of or damage;
  - h) Not transferred to countries without adequate protection.
- 1.3 The rights which the DPA gives data subjects (i.e. the person to whom the data refers) are not affected by their ages. In this respect, therefore, as long as young people are able to understand their rights, then it is they and not their parents who should be informed of uses and disclosures of data and who have the right to object to processing. Academies, however, are advised to inform parents as well as students in matters relating to data.
- 1.4 The following categories of information should not be disclosed by maintained schools either because they fall within an exemption or because they are not permitted to be disclosed under the DPA:
  - a) Material which might reveal, or enable to be deduced, the identity of a person other than the student to whom the information relates to, the person requesting disclosure as the source of the information or as a person to whom the information relates;
  - b) References supplied to potential employers of the student, any national body concerned with student admissions, another school, an institution of further or higher education, or any other place of education and training (see also paragraph 8);
  - c) Reports by a school to a juvenile court;
  - d) Examination scripts;
  - e) Material of which disclosure would be likely to cause serious harm to the physical or mental health or emotional condition of the student or someone else;
  - f) Material concerning actual or suspected child abuse.

ULT will adopt these prohibitions in its academies as good practice.

## 2. Sensitive Data within the meaning of DPA

- 2.1 Sensitive data is defined as personal data relating to;
  - a) Racial or ethnic origin;
  - b) Political opinions;
  - c) Religious beliefs;
  - d) Membership of a trade union;

- e) Physical or mental health;
- f) Sexual life;
- g) Criminal or alleged criminal offences.

2.2 Under the DPA, the data subject is required to give his or her explicit consent to the processing of the personal data. There are some exceptions to this requirement which are set out in the Guidance to the Act. Academies are advised that specific consent should cover the particular type of data to be processed, the purposes of the processing and any specific details of disclosure which might affect the individual.