

GDPR, Freedom of Information & Protection of Biometric Information of Pupils Policy

1. Introduction

The General Data Protection Regulation (GDPR) is a legal framework that sets guidelines for the collection and processing of personal information from individuals.

This policy outlines how the Federation of St Martin's & Seabrook CEP Schools complies with GDPR to ensure the privacy and protection of pupils, parents, staff, and any other individuals whose data is processed by the Federation.

2. Purpose

The purpose of this policy is to explain how the Federation collects, uses, stores, shares, and disposes of personal data, and to inform all stakeholders of their rights under GDPR.

3. Scope

This policy applies to all staff, governors, volunteers, contractors, parents and pupils at the Federation of St Martin's & Seabrook CEP Schools who process or use personal data in any form.

4. Data Protection Principles

The Federation of St Martin's & Seabrook CEP Schools is committed to ensuring that all personal data are:

- Processed lawfully, fairly and in a transparent manner
- Collected for specified, explicit and legitimate purposes
- Adequate, relevant and limited to what is necessary
- Accurate and kept up to date
- Kept for no longer than is necessary
- Processed in a manner that ensures appropriate security

5. Types of Personal Data Collected

The Federation may collect and process the following types of personal data:

- Pupil information (name, date of birth, address, medical details, special educational needs, attendance)
- Parent/guardian contact details
- Staff employment details
- Photographs and video images
- Assessment and attainment data
- Safeguarding information

6. Lawful Basis for Processing

The Federation will only process personal data where there is a lawful basis, such as:

- Consent obtained from the data subject or parent/guardian (where appropriate)
- Necessary for the performance of a contract
- Compliance with a legal obligation
- Vital interests of the data subject
- Performance of a task carried out in the public interest or official authority

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7. Data Subject Rights

Under GDPR, individuals have the following rights regarding their personal data:

- Right to be informed
- Right of access
- Right to rectification
- Right to erasure ("right to be forgotten")
- Right to restrict processing
- Right to data portability
- Right to object
- Rights in relation to automated decision making and profiling

Requests to exercise these rights should be made in writing to the Federation's Data Protection Officer (DPO) via the schools' offices.

8. Data Security and Storage

The Federation takes appropriate technical and organisational measures to safeguard personal data. Data are stored securely, access is limited to authorised personnel and regular reviews take place to ensure ongoing protection.

9. Data Sharing

Personal data will only be shared with third parties where there is a lawful basis, such as with government bodies (e.g., Department for Education, Local Authority), the Diocese, health and social care professionals or software providers supporting Federation operations. The Federation ensures that any third parties comply with GDPR requirements.

10. Data Retention

Personal data are kept only for as long as necessary to fulfil the purposes for which they were collected. The Federation follows statutory guidance and best practice for data retention and safe disposal.

11. Breach Notification

In the event of a data breach, the Federation will follow the relevant procedures, including notifying the Information Commissioner's Office (ICO) and affected individuals where necessary, in accordance with GDPR requirements.

12. Training and Awareness

All staff and volunteers receive training on data protection and GDPR and are required to adhere to this policy at all times.

13. Freedom of Information

The Freedom of Information Act 2000 provides public access to information held by public authorities.

It does this in two ways:

- (a) public authorities are obliged to publish certain information about their activities; and
- (b) members of the public are entitled to request information from public authorities.

The main principle behind freedom of information legislation is that people have a right to know about the activities of public authorities, unless there is a good reason for them not to.

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In accordance with the Freedom of Information Act, the Federation will adhere to its two main obligations:

- (a) to publish certain information proactively as determined by the Local Authority, the Diocese and/or the DfE.
- (b) To respond to requests for information in accordance with legal requirements.

14. Requests and fees

Any request for personal data or other information should be submitted to the Federation in writing for the attention of the Executive Headteacher and, depending on the nature of the request, will usually be responded to within 14 days and incur no charge. Requests of an exceptional nature however may take longer to deal with and may incur a charge.

15. Role of the Data Protection Officer (DPO)

The Federation uses Accordio to provide the services of the DPO across the Federation.

16. Use of Biometric Information

(a) What is biometric data?

Biometric data means personal information about an individual's physical or behavioural characteristics that can be used to identify that person; this can include their fingerprints, facial shape, retina and iris patterns, and hand measurements.

The Information Commissioner considers all biometric information to be personal data as defined by the Data Protection Act 1998.

The Protection of Freedoms Act includes provisions which relate to the use of biometric data in schools when used as part of an automated biometric recognition system.

(b) What is an automated biometric recognition system?

An automated biometric recognition system uses technology which measures an individual's physical or behavioural characteristics by using equipment that operates 'automatically' (i.e. electronically). Information from the individual is automatically compared with biometric information stored in the system to see if there is a match in order to recognise or identify the individual.

Biometric recognition systems can use many kinds of physical or behavioural characteristics such as those listed in the above section of 'What is biometric data'.

(c) Federation's use of biometric information

Currently, the Federation does **not** capture, process or use biometric information.

17. Review and Contact

This policy is reviewed annually or whenever there is a significant change to data protection laws or Federation practices.

For any queries or requests related to data protection, please contact the Federation's Data Protection Officer via the schools' offices.

18. Further Information

Further information about GDPR can be found on the Information Commissioner's Office website: www.ico.gov.uk.