

# HOLLINGWORTH ACADEMY

## DATA PROTECTION & FREEDOM OF INFORMATION

<b>Created:</b>	Summer 2014
<b>Reviewed:</b>	
<b>Updated:</b>	

**CONTENTS**

**Data at Hollingworth Academy:** ..... 5

    Aim: ..... 5

    Scope: ..... 5

    Responsibilities: ..... 5

**The Data Protection Act (DPA):** ..... 6

    Notification: ..... 6

    Privacy notices: ..... 6

**Data at Hollingworth Academy:** ..... 7

    Type of information processed: ..... 7

    Sensitive personal data: ..... 7

    Who the information is processed about: ..... 7

    Who the information may be shared with: ..... 8

    Transferring information overseas: ..... 8

    Information Security: ..... 8

**Management of Data:** ..... 9

    Disclosure of data: ..... 9

    The individual’s right to access their personal information (Subject Access Requests): ..... 9

    Provision of data to children: ..... 10

    Parents’/carers’ rights: ..... 10

    Recruitment: ..... 10

    Breach of the policy: ..... 10

**Freedom of Information Act:** ..... 11

    Aim and scope: ..... 11

    Background: ..... 11

    Timescales: ..... 12

    Delegated responsibilities: ..... 12

    Requesting information: ..... 12

        Procedures: ..... 12

        Charges: ..... 12

        Publication: ..... 122

    Withholding information: ..... 13

    Releasing third party information: ..... 133

Information held within contracts with the school: ..... 15

Complaints procedure: ..... 155

Illegal actions: ..... 155

**Freedom of Information Publication Scheme (ICO Model): ..... 166**

**Photography and Filming Guidance: ..... 20**

    Photographs for internal use: ..... 20

    Media use: ..... 20

    Family photographs at school events: ..... 20

**Closed Circuit Television (CCTV) Guidance: ..... 21**

    Aim and scope: ..... 21

    Introduction: ..... 21

    Objectives of the CCTV scheme: ..... 21

    Statement of intent: ..... 21

    Operation of the system: ..... 22

    CCTV system: ..... 22

    Liaison: ..... 22

    Monitoring procedures: ..... 23

    Image storage procedures: ..... 23

    Breaches of the code (including breaches of security): ..... 23

    Assessment of the scheme and code of practice: ..... 24

    Complaints: ..... 24

    Access by the Data Subject: ..... 24

    Public information: ..... 24

    Summary of key points: ..... 24

**Biometrics Guidance: ..... 25**

    Introduction: ..... 25

    Notification: ..... 25

    Consent: ..... 25

    Exceptions from the requirement for notification and consent: ..... 25

    Child’s right to object: ..... 25

    Children not using the biometric system: ..... 26

    Other relevant policies: ..... 26

**Records Management: ..... 277**

    Scope: ..... 27

Responsibilities: ..... 27

Recording systems: ..... 27

Maintenance of record keeping systems: ..... 27

There are a number of basic rules: ..... 26

Retention of records: ..... 28

Relationship with existing policies: ..... 28

**APPENDICIES:** ..... 29

Appendix 1: 2013/14 Privacy Notice: ..... 30

Appendix 2: External Agencies 2013/14: ..... 31

Appendix 3: Freedom of Information Requests: Staff Guidance: ..... 31

Appendix 4: Photography and Filming Consent Form: ..... 32

Appendix 5: Authorised Directed Surveillance Form: ..... 35

Appendix 6: Notification of Intention to Process Pupils’ Biometric Information: ..... 36

Appendix7: Consent Form for the Use of Biometric Information in School: ..... 38

## Data at Hollingworth Academy

**Aim:**

The aim of this document is to set guidelines to enable staff, parents/carers and pupils to understand the processes and procedures in the following areas:

- 1 **The Data Protection Act**
- 2 **Freedom of Information**
- 3 **School Photographs**
- 4 **CCTV**
- 5 **Biometric System**
- 6 **Records Management**

In order to operate efficiently Hollingworth Academy has to collect and use information about people with whom it works. These will include staff, pupils and parents/carers. In addition it may be required by law to collect and use information in order to comply with the requirements of central government.

The objective of the policy is to ensure that the school acts within the requirements of the Data Protection Act 1998 when retaining and storing personal data and when making it available to individuals, and that the process of responding to enquiries for other information is also legal under the Freedom of Information Act 2000 (in force from 1st January 2005).

**Scope:**

This policy applies to all employees, governors, contractors, agents and representatives and temporary staff working for or on behalf of the School.

This policy applies to all personal information created or held by the school in whatever format, (e.g. paper, electronic, email, microfiche, film) and however it is stored, (for example ICT system/database, shared drive filing structure, email, filing cabinet, shelving and personal filing drawers).

**Responsibilities:**

The governors have overall responsibility for compliance with the DPA.

The Headteacher is responsible for ensuring compliance with the DPA and this policy within the day to day activities of the School. The Headteacher is responsible for ensuring that appropriate training is provided for all staff.

All members of staff or contractors who hold or collect personal data are responsible for their own compliance with the DPA and must ensure that personal information is kept and processed in-line with the DPA.

## The Data Protection Act (DPA)

The DPA stipulates that anyone processing personal data must comply with eight principles of good practice; these principles are legally enforceable. The principles require that personal information:

- 1 shall be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met;
- 2 shall be obtained only for one or more specified and lawful purposes and shall not be further processed in any manner incompatible with that purpose or those purposes;
- 3 shall be adequate, relevant and not excessive in relation to the purpose or purposes for which it is processed;
- 4 shall be accurate and, where necessary, kept up to date;
- 5 shall not be kept for longer than is necessary for that purpose or those purposes;
- 6 shall be processed in accordance with the rights of data subjects under the Act;
- 7 shall be kept secure, i.e. protected by an appropriate degree of security;
- 8 shall not be transferred to a country or territory outside the European Economic Area, unless that country or territory ensures an adequate level of data protection.

Personal data is information about living, identifiable individuals. It covers both facts and opinions about the individual, but need not be sensitive information. It can be as little as a name and address. Such data can be part of a computer record or manual record.

### Notification:

The Data Protection Act 1998 requires every data controller who is processing personal data to notify and renew their notification on an annual basis. Failure to do so is a criminal offence. The Information Commissioner maintains a public register of data controllers, in which the school is registered.

The School will review the Data Protection Register annually, prior to renewing the notification to the Information Commissioner. (<http://www.ico.gov.uk/ESDWebPages/search.asp>)

### Privacy notices:

Whenever information is collected about individuals they must be made aware of the following:

- The identity of the Data Controller, e.g. the school.
- The purpose that the information is being collected for.
- Any other purposes that it may be used for.
- Who the information will or may be shared with.
- How to contact the Data Controller.

This must be done at the time that information first starts to be gathered on an individual. The school's 2013/2014 Privacy Notice is in **Appendix 1**.

## Data at Hollingworth Academy

All personal data is to be managed in accordance with the Data Protection Act 1998. The school/academy is a Data Controller for the purposes of the Act and has registered with the Information Commissioner.

The school processes personal information to enable us to provide education, training, welfare and educational support services, to administer school property, maintain our own accounts and records, undertake fundraising, support and manage our employees. We also use CCTV for security and the prevention and detection of crime.

This Data Protection Policy covers personal data collected for the above purposes whoever the personal data belongs to.

Data is Personal Data if it relates to an individual and the individual can be identified from that data. It is caught by the Act if it is filed, electronically stored or processed.

### **Type of information processed:**

Hollingworth Academy will process information relevant to the above reasons or purposes. This may include:

- Personal details.
- Family details.
- Lifestyle and social circumstances.
- Education and employment details.
- Financial details.
- Goods and services.
- Disciplinary and attendance records.
- Vetting checks.
- Visual images, personal appearance and behaviour.

### **Sensitive personal data:**

Hollingworth will also process sensitive classes of information that may include:

- Race/ ethnicity.
- Religious beliefs or those of a similar nature.
- Political views.
- Trade Union membership.
- Physical or mental health.
- Sexual life/orientation.
- Commission or alleged commission of any offence or any related court proceedings.

### **Who the information is processed about:**

Hollingworth will process information about:

- Employees.
- Students and pupils.
- Professional experts and advisers.
- Members of the school boards/Governing Body.
- Sponsors and supporters.
- Suppliers and service providers.
- Complainants, enquirers.
- Individuals captured by CCTV images.

**Who the information may be shared with:**

Hollingworth will sometimes need to share the personal information we process with the individual themselves and also other organisations. Where this is necessary Hollingworth are required to comply with all aspects of the Data Protection Act (DPA). The following list is a description of the types of organisations the school may need to share some of the personal information with for one or more reasons.

Where necessary or required the school will share information with:

- Family, associates and representatives of the person whose personal data the school is processing.
- Educators and examining bodies.
- Careers service.
- School boards.
- Local and central government.
- Academy trusts.
- Healthcare social and welfare organisations.
- Police forces, courts.
- Current, past or prospective employers.
- Voluntary and charitable organisations.
- Business associates, professional advisers.
- Suppliers and service providers.
- Financial organisations.
- Press and media.

**Transferring information overseas:**

The school may use third parties who may transfer data outside the EEA. Staff and parents/carers will be informed if this is the case.

**Information security:**

All members of staff should be constantly aware of the possibility of personal data being seen by unauthorised personnel. For example, possibilities may arise when computer screens are visible to the general public; files may be seen by the cleaners if left on desks overnight (all papers must be locked in cabinets when not in use). The school issues all staff and pupils the E-Safety Policy which includes a Best Practices for Setting Passwords document.

The use of computer passwords is a requirement of the school to avoid unauthorised access. Back up discs must be kept off site.

## Management of Data

The school is responsible for making sure that personal data is managed in accordance with the Data Protection Act. The day to day management of this is designated to Mr Jamie Hawkrigg, but all staff are responsible for ensuring that they read this policy and comply with it and the Data Protection Act 1998. Where a member of staff has particular responsibility for data compliance, they should make sure they understand their role. Staff are made aware that knowingly or recklessly disclosing personal data may be a criminal offence and that internal disciplinary procedures will be followed if a member of staff commits a data breach.

The school will:

- Seek to ensure that no personal data is collected unless it is necessary.
- Make sure that appropriate procedures and checks are in place to ensure compliance.
- Evaluate the efficacy of the above procedures.
- Ensure that explicit consent is given to any collection of sensitive personal data.
- Ensure that the school's notification to the ICO is kept up to date.
- Make sure that personal data in manual files is stored securely in locked filing cabinets with access restricted to designated members of staff and that electronically held personal data is stored securely, again with access restricted to designated members of staff.
- Send a letter to employees each year informing them of the data held about them, including the type of data, where it came from, who has access to it and why it is held. They will also be informed of their right to access the data and correct any inaccuracies.
- Staff/parents/carers/ pupils receive a Data Checking Sheet at stages throughout the school year. Any changes are updated on the school CMIS.
- A list of the external agencies with which the school shares staff and pupil data with can be found in **Appendix 2**.

### Disclosure of data:

Personal data will only be disclosed to third parties in two circumstances:

- Where the data subject has given consent (or in the case of a child without capacity under the Data Protection Act - ordinarily those under 12 years of age - their parent or carer).
- Where the school is required or permitted by law to disclose it.

The school will take reasonable steps to confirm the identity of a third party requesting personal data.

### The individual's right to access their personal information (Subject Access Requests):

Any person whose details are held by the school is entitled, under the DPA, to ask for a copy of all information held about them (or child for which they are responsible).

Where a person wishes to access their own data, they must make a request in writing. The Director of Support Services/Data Manager will check the identity of the requester. The request must be dealt with promptly; a response must be provided as soon as possible and within 40 calendar days and in some instances 15 school days.

The school may make a charge of up to £10 for responding to a subject access request and up to £50 (on a sliding scale for photocopying charges) for access to a pupil's educational record. When providing the information the school must also provide a description of why the information is processed, details of anyone it may be disclosed to and the source of the data. The request may be refused in whole or in part if the school has legal grounds not to comply with the request in full. Where a request is turned down reasons for the refusal will be given.

**Provision of data to children:**

In relation to the capacity of a child to make a subject access request, guidance provided by the Information Commissioner's Office has been that by the age of 12 a child can be expected to have sufficient maturity to understand the nature of the request. A child may of course reach sufficient maturity earlier; each child should be judged on a case by case basis.

If the child does not understand the nature of the request, someone with parental responsibility for the child, or a carer, is entitled to make the request on behalf of the child and receive a response.

Pupils who submit requests to access their educational records should be allowed to do so unless it is obvious that they do not understand what they are asking for.

**Parents'/carers' rights:**

An adult with parental responsibility can access the information about their child, as long as the child is not considered to be sufficiently mature. They must be able to prove their parental responsibility and the school is entitled to request relevant documentation to evidence this as well as the identity of the requestor and child.

In addition, parents/carers have their own independent right under The Education (Pupil Information) (England) Regulations 2000 of access to the official education records of their children. Pupils do not have a right to prevent their parents/carers from obtaining a copy of their school records.

**Recruitment:**

It will be necessary for the school to collect information from candidates applying for a position within the school. The application form will ask for information relevant to the position applied for and the applicant's explicit consent obtained, both for the data revealed by them and for any request which will be submitted to a third party for personal data about the applicant. The applicant will be informed of:

- Why the school collects the information.
- How long it will be kept.
- The security in place to protect the information.
- How the application will be processed.
- How the information given will be verified.

**Breach of the policy:**

Non-compliance with the requirements of the DPA by the members of staff could lead to serious action being taken by third parties against the school authorities. Non-compliance by a member of staff is, therefore, considered a disciplinary matter which, depending on the circumstances, could lead to dismissal. It should be noted that an individual can commit a criminal offence under the Act, for example, by obtaining and/or disclosing personal data for his/her own purposes without the consent of the Data Controller.

## Freedom of Information Act

### Aim and scope:

Hollingworth Academy is committed to transparency in its dealings with the public and fully embraces the aims of the Freedom of Information Act 2000 and the access provisions of the Data Protection Act 1998. The school will make every effort to meet its obligations under the respective legislation and will regularly review procedures to ensure that it is doing so.

The underlying principle of this policy is that the public have a right to access to recorded information held by the school and that the school should seek to promote an open regime regarding access to information, subject to the exemptions contained within the relevant legislation.

Separate staff guidance, in the form of operating procedures, is available in Appendix 3.

This policy applies to all recorded information held by the school that relates to the business of the school. This includes:

- Information created and held by the school.
- Information created by the school and held by another organisation on our behalf.
- Information held by the school provided by third parties, where this relates to a function or business of the school (such as contractual information).
- Information held by the school relating to governors where the information relates to the functions or business of the school.

This policy does not cover personal written communications (such as personal e-mails sent by staff). The school's Data Protection Policy establishes the standards regarding the use of "personal data" (as defined in the DPA).

### Background:

The FOIA applies to all public authorities and came fully into force on 1<sup>st</sup> January 2005. It provides the public with a statutory right of access to recorded information held by authorities, subject to certain exemptions, within twenty working days. The Act is fully retrospective and applies to all information that falls within the scope of the Act, not just information created from 1<sup>st</sup> January 2005. Section 19 of the Act also obliges the school to make information pro-actively available in the form of an approved "publication scheme".

In addition, individuals currently have a statutory right of access to their own "personal data" under the DPA. Individual access rights to personal data are extended by the FOIA through amendments to the access provisions of the DPA.

The EIR provides a statutory right of access to "environmental information", as defined in these regulations. The EIR came into force on 1<sup>st</sup> January 2005 and replaces the existing 1992 Regulations. The EIR are also fully retrospective.

The Government's Information Commissioner enforces these three information regimes.

Each regime contains certain categories of exempt information, where information can be withheld. Any decision to withhold information under an exemption can be referred by the applicant to the Information Commissioner, who can overturn any decision to withhold information. For the purposes of this policy, the "public" is defined as any individual or organisation anywhere in the world and an "information request" refers to any request for recorded information made under the FOIA, EIR or DPA.

**Timescales:**

Freedom of Information requests should be dealt with within 20 working days, excluding school holidays.

Requests for Data Protection (subject access requests) should be dealt with within 40 calendar days. Requests for pupil education records should be dealt with within 15 school days.

**Delegated responsibilities:**

Overall responsibility for ensuring that the school meets the statutory requirements of the FoIA, EIR and DPA lies with the governors and the Chair of Governors has overall responsibility for information management issues. They have delegated the day-to-day responsibility of implementation to the Headteacher.

The Headteacher is assisted by Jamie Hawkrigg or Susan Collinge. All School staff are responsible for ensuring that they handle requests for information in compliance with the provisions of the various Acts, taking advice from the FoI officer where necessary.

**Requesting Information:****Procedures**

Practical procedures for handling information enquiries in line with the relevant legislation will be produced and copies can be obtained from the school's FoI Officer.

The school has a duty under both the FoIA and EIR to provide advice and assistance to applicants making information requests. This includes assisting the applicant in making the application for information. Although no such duty exists under the DPA, the same level of care will be provided.

**Charges**

The three information regimes contain different provisions that permit charges to be made for responding to information requests. The Governing Body may charge a fee for complying with requests, as calculated in accordance with FoIA regulations. If a charge is to be made, the school will give written notice to the applicant before supplying the information requested.

The school will only charge for the cost of copying and transmitting information, not for time taken in reaching decisions regarding whether information is covered by an exemption. Where the school estimates that the cost of locating the information will exceed the statutory threshold of £450, it will consider whether or not to comply with the request. The school is not obliged to comply with such a request but may choose to do so. The Data Protection Act 1998 permits a charge of up to £10 to be made for responding to requests for personal data. There is a sliding scale of up to £50 for copies of educational records.

**Publication**

Section 19 of the FoIA obliges the school to make information pro-actively available in the form of a "publication scheme". This scheme will list categories, or "classes" of information that will routinely be made available without the need for a specific information request. The school will indicate in the scheme where it wishes to charge for providing particular categories of information. The Freedom of Information scheme for Hollingworth is published on the school's website. The school plans to review this scheme regularly. Whenever any information is provided in response to a recorded FoIA enquiry, the school will assess whether the information is suitable for wider publication. In general, there will be a presumption in favour of publishing such information on the school's website.

**Withholding information:**

The Freedom of Information Act contains 23 exemptions whereby information can be withheld. There are two categories; absolute and non-absolute. The school will only withhold information if it falls within the scope of one or more of these exemptions.

Where an absolute exemption applies, the school can automatically withhold the information. However, where the exemption is non-absolute the information can only be withheld where the school decides that the public interest is best served by withholding the information. Certain exemptions also contain a “prejudice test”, which means that the exemption can only be claimed if disclosing the information would prejudice the interest protected by the exemption. The school will only withhold information covered by the exemption. Complete files or documents will not be withheld just because part of the information is covered by an exemption.

The school will only apply an exemption where it has reason to believe that prejudice might occur to the interest protected by the exemption. In addition, wherever a “public interest” exemption is being considered, the school will only withhold that information which it can demonstrate that the public interest will be best served by withholding. When considering withholding information under a non-absolute exemption the school will take into account whether the release of the information would:

- promote further understanding of current issues of public debate;
- promote the accountability of decisions taken by the school and the spending and allocation of public money;
- bring to light matters of public safety;
- allows the public to understand and challenge decisions made by the school;
- be otherwise in the public interest.

Where information is withheld under an exemption in most cases the reason behind the decision will be made clear to the applicant, citing the exemption under which the information is being withheld. The applicant will also be given details of the right to challenge the decision through the school’s Governing Body and the right of appeal to the Information Commissioner’s Office.

Where a staff member plans to apply an exemption, he/she will consider whether other schools hold similar information. If this is considered likely, he/she may contact the relevant school(s) to ensure that a consistent response is provided to the applicant.

The school will also refuse to supply information under the FoIA, where the request is considered “vexatious” or “repeated” and under the EIR, where the request is considered ‘manifestly unreasonable’.

**Releasing third party information:**

Where, in response to a request, information belonging to a third party (either an individual or other organisation) has to be considered for release, the staff member that received the request will seek input from the FoI officer prior to the release of the information.

The release of third party information will be considered carefully to prevent actions for breach of confidence or, in the case of living individuals, breaches of the DPA. Both the EIR and FoIA permit information to be withheld when its release would breach the provisions of the DPA.

When the requested information relates to a living individual and amounts to “personal data” as defined in the DPA, its disclosure could breach the DPA. Therefore, the release of third party personal information relating to living individuals will be considered in accordance with the Data Protection principles and, in particular, the “third party” provisions of the DPA.

Where appropriate, the school will contact the individual to ask for permission to disclose the information. If consent is not obtained, either because it was not considered appropriate to approach the third party or the third party could not be contacted or consent is refused. The school will then consider if it is reasonable to disclose the information, taking into account:

- Any duty of confidentiality owed to the third party.
- The steps taken to seek consent.
- Whether the third party is able to give consent.
- Any express refusal of consent.

The decision to disclose third party information will also take into account the impact of disclosure on the third party, relative to the impact on the applicant of withholding the information. Where the third party has been acting in an official, rather than private capacity, the school will be minded to disclose the information, although decisions will be made on a case by case basis.

Where the information relates to a staff member, the provisions of the DPA will still apply in many circumstances, but the nature of the information will influence the school's decision whether to release the information. Where the information relates to a matter clearly private to the individual, e.g. a disciplinary hearing, the information will almost certainly be withheld. However, where the information relates to the member of staff acting in their official capacity, e.g. an expenses claim, the information will normally be released. The exemption relating to the release of a third party's personal data will not be used to withhold information about administrative decisions taken by the school.

As the DPA only relates to living individuals, the exemption relating to Data Protection under both the EIR and FoIA will not apply to information held about the deceased. Where the request might be controversial, the staff member will seek input from the FoI officer who will take advice from the Governing Body where necessary.

Where the third party is an organisation, rather than an individual, the provisions of DPA 1998 will not apply. The school will consider consulting the third party concerning the release of their information where:

- The views of the third party may assist the school to decide whether an exemption under the Act applies to the information.
- in the event of the public interest test being applied, where the views of the third party may assist the school to make a decision relating to where the public interest lies.

Consultation will not be undertaken where:

- The School will not be disclosing the information due to some valid reason under the Act.
- The school is satisfied that no exemption applies to the information and, therefore, cannot be withheld.
- The views of the third party will have no effect on the decision, e.g. where there is other legislation preventing disclosure.

Where input from a third party is required, the response time for the request remains the same. Therefore, it will be made clear to the third party at the outset that they have a limited time for their views to be provided and that where responses are not immediate, the decision to disclose may have to be made without their input in order for the school to comply with the statutory time limits dictated by the legislation.

The school will endeavour to inform individuals and organisations submitting information that the information might be released following an information request and, where appropriate, will provide the supplier of the information opportunity to request confidentiality or supply reasons as to why the information should be treated confidentially.

**Information held within contracts with the school:**

Any contractual information, or information obtained from organisations during the tendering process, held by the school are subject to the provisions of the FoIA and EIR. Whenever the school enters into contracts, it will seek to exclude contractual terms forbidding the disclosure of information beyond the restrictions contained in the legislation. A standard form of wording will be included in contracts to cover the impact of FoIA and EIR in relation to the provision of information held in contracts.

The school can withhold contractual information where its disclosure under either the FoIA or EIR could be treated as actionable breach of confidence. Where the school intends to include non-disclosure provisions in a contract, it will agree with the contractor a schedule of the contract that clearly states which information should not be disclosed.

The school will only agree to enter into confidentiality clauses where the information is confidential in nature and that it is confident that the decision to restrict access to the information could be justified to the Information Commissioner.

Where information is not covered by the exemption relating to information accepted in confidence, a further exemption specifically under FoIA may be relevant, relating to commercial interests. This exemption is subject to a "public interest" test. Whenever the school has to consider the release of such information, it will contact the relevant organisation to obtain its opinions on the release of the information and any exemptions they may think relevant. However, the school will make the final decision relating to the disclosure of the information.

The school can also withhold information contained in contracts where any of the other exemptions listed in the FoIA or EIR are appropriate, although information will only be withheld in line with the school's policy on the use of exemptions. All future contracts should contain a clause obliging contractors to co-operate fully and in a timely manner where assistance is requested in responding to an FoIA or EIR request.

**Complaints procedure:**

Whenever the school withholds information under an exemption, or for any other reason, it will inform the applicant of their right to complain about the decision through the school's complaints procedure and of the right of appeal to the Information Commissioner. Any complaint received will be dealt with in accordance with the school's complaints procedure as detailed in its Complaints Policy. If the result of the complaints is that any decision to withhold information be overturned, this information will be supplied as soon as it is possible.

**Illegal actions:**

It is a criminal offence under any of the three information regimes for members of staff to alter, deface or remove any record (including e-mails) following receipt of an information request. Both the FoIA and EIR contain specific provisions to make such action a criminal offence.

## Freedom of Information Publication Scheme (ICO Model)

Information to be published	How the information can be obtained	Cost
<b>Class 1 - Who we are and what we do</b> (Organisational information, structures, locations and contacts)  This will be current information only	(hard copy and/or website)	
Who's who in the school	Hard copy	£10
Who's who on the Governing Body and the basis of their appointment	Website	Free
Instrument of Government (Articles of Association)	Website	Free
Contact details for the Headteacher and for the Governing Body (named contacts where possible with telephone number and email address (if used))	Website	Free
School Prospectus	Website	Free
Annual Report	Hard copy	£10
Staffing structure	Hard copy	£10
School session times and term dates	Website	Free
<b>Class 2 – What we spend and how we spend it</b> (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit)  Current and previous financial year as a minimum	(hard copy and/or website)	
Annual budget plan and financial statements	Hard copy / Website	£10 / Free
Capitalised funding	Hard copy	£10
Additional funding	Hard copy	£10
Procurement and projects	Hard copy	£10
Pay Policy	Hard copy	£10
Staffing and grading structure	Hard copy	£10
Governors' allowances	Hard copy	£10
<b>Class 3 – What our priorities are and how we are doing</b> (Strategies and plans, performance indicators, audits, inspections and reviews)  Current information as a minimum	(hard copy or website)	
School profile <ul style="list-style-type: none"> <li>• Government supplied performance data</li> <li>• The latest Ofsted report               <ul style="list-style-type: none"> <li>- Summary</li> <li>- Full report</li> </ul> </li> </ul>	Website (Links provided)	Free
Performance Management Policy and procedures adopted by the Governing Body.	Hard copy	£10

Information to be published	How the information can be obtained	Cost
Schools future plans (SIP)	Hard copy	£10
Every Child Matters – policies and procedures	Hard copy / Website	£10 / Free
<b>Class 4 – How we make decisions</b> (Decision making processes and records of decisions)  Current and previous three years as a minimum	(hard copy or website)	
Admissions Policy/decisions (not individual admission decisions)	Website	Free
Agendas of meetings of the Governing Body and (if held) its sub-committees	Hard copy	£10 per meeting
Minutes of meetings (as above) – <b>NB:</b> this will exclude information that is properly regarded as private to the meetings.	Hard copy	£10 per meeting
<b>Class 5 – Our policies and procedures</b> (Current written protocols, policies and procedures for delivering our services and responsibilities)  Current information only	(hard copy or website)	
School policies including: <ul style="list-style-type: none"> <li>• Charging and Remissions Policy</li> <li>• Health and Safety</li> <li>• Complaints Procedure</li> <li>• Staff Conduct Policy</li> <li>• Discipline and grievance policies</li> <li>• Staffing Structure Implementation Plan</li> <li>• Information Request Handling Policy</li> <li>• Equality and diversity (including equal opportunities) policies</li> <li>• Staff recruitment policies</li> </ul>	Website Website Website Hard copy Hard copy Hard copy Website Hard copy Hard copy	Free Free Free £10 £10 £10 Free £10 £10
Pupil and curriculum policies, including: <ul style="list-style-type: none"> <li>• Home-School Agreement</li> <li>• Curriculum</li> <li>• Sex Education</li> <li>• Special Educational Needs</li> <li>• Accessibility</li> <li>• Race Equality</li> <li>• Collective Worship</li> <li>• Careers Education</li> <li>• Pupil Discipline</li> </ul>	Hard copy Website Hard copy Hard copy Hard copy Hard copy Hard copy Hard copy Behaviour	£10 Free £10 £10 £10 £10 £10 £10
Records management and personal data policies, including: <ul style="list-style-type: none"> <li>• Information security policies</li> <li>• Records retention destruction and archive policies</li> <li>• Data Protection (including information sharing policies)</li> </ul>	Website	Free

Information to be published	How the information can be obtained	Cost
Charging regimes and policies.  This should include details of any statutory charging regimes. Charging policies should include charges made for information routinely published. They should clearly state what costs are to be recovered, the basis on which they are made and how they are calculated.	Website	Free
<b>Class 6 – Lists and Registers</b>  Currently maintained lists and registers only	(hard copy or website; some information may only be available by inspection)	
Curriculum circulars and statutory instruments	Hard copy	£10
Disclosure logs	Hard copy	£10
Asset register	Hard copy	£10
Any information the school is currently legally required to hold in publicly available registers ( <b>THIS DOES NOT INCLUDE THE ATTENDANCE REGISTER</b> )	Hard copy	£10
<b>Class 7 – The services we offer</b> (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses)  Current information only	(hard copy or website; some information may only be available by inspection)	
Extra-curricular activities	Website	Free
Out of school clubs	Website	Free
School publications	Website / Hard copy	Free /£10
Services for which the school is entitled to recover a fee, together with those fees	Hard copy	£10
Leaflets books and newsletters	Website	Free
<b>Additional Information</b> This will provide schools with the opportunity to publish information that is not itemised in the lists above		

Contact details:

**SCHEDULE OF CHARGES**

This describes how the charges have been arrived at and should be published as part of the guide.

<b>TYPE OF CHARGE</b>	<b>DESCRIPTION</b>	<b>BASIS OF CHARGE</b>
<b>Disbursement cost</b>	A4 Photocopying/printing @ 2p per sheet (black & white)	Actual cost *
	A4 Photocopying/printing @ 6p per sheet (colour)	Actual cost
	Postage	Actual cost of Royal Mail standard 2 <sup>nd</sup> class
<b>Statutory Fee</b>		In accordance with the relevant legislation (quote the actual statute)
<b>Other</b>		

\* the actual cost incurred by the public authority

Stone King LLP

## Photography and Filming Guidance

*(During this guidance, where the school refers to 'Photography' this will also include reference to Digital Imagery and Filming)*

The school is obliged to comply with the Data Protection Act 1998 when it takes or publishes photographs of its pupils. It follows guidance on photographs in schools which are published by the Information Commissioner's Office. The school will always try to act in the best interest of the pupils and, as far as it legally can, it will take parental preferences into account.

The Data Protection Act gives children rights over their own data when they are considered to have adequate capacity to understand. Most children will reach this level of understanding at around age 12. For this reason, it will normally be up to the individual child to decide whether or not to be photographed. Where the school considers that the child does not have the capacity to make such a decision, the school will act as it considers to be in the best interests of the child and in doing so will take account of any stated parental preference.

If a parent or carer wishes to express a preference for the school to avoid taking or publishing photographs of their child in certain circumstances, then parents/carers can indicate their preferences using the 'Photograph & Filming Consent Form' in **Appendix 4**. If no preferences are expressed then the school will act in accordance with the principles expressed in this policy.

Ordinarily the following rules will apply to photographs in this school:

### Photographs for internal use:

- The school will take photographs for its own use. Usually these will be unnamed photographs and will generally be for internal school use, but may also include photographs for publication, such as photos for the Prospectus, or to show as slides at an event for parents/carers. Unnamed photographs may also be used on display boards which can be seen by visitors to the school.
- When the photograph is taken, the pupils will be informed that a photograph is being taken and told what it is for so that they can object if they wish.
- If the school wants to use named photographs then it will obtain specific consent first. For most pupils this will be pupil consent as explained above.

### Media use:

- The school will give proper consideration to the interests of its pupils when deciding whether to allow external organisations to take photographs or to film.
- When the media are allowed to be present in school or at school events, this will be on the condition that they observe this policy.
- Where the media are allowed to be present at a particular event the school will make sure that pupils and their parents or carers are informed of the media presence. If no objection is received, then the school will assume that unnamed photographs may be published.
- If the media entity wants to publish named photographs then they must obtain specific consent from those pupils with capacity to consent or the parents/carers of those without capacity. The school will require the media entity to check with the school before publication so that the school can check that any objections have been taken into account.

### Family photographs at school events:

- It shall be at the discretion of the school whether photographs may be taken at a school event.
- Family and friends taking photographs for the family album will not be covered by the Data Protection Act.
- Where the Academy decides to allow such photography, the family and friends will be asked not to publish any photographs showing children other than their own on the internet.

## Closed Circuit Television (CCTV) Guidance

### Aim and scope:

Hollingworth Academy uses closed circuit television (CCTV) images to provide a safe and secure environment for pupils, staff and visitors, and to protect school property.

The aim of this document is to set out the accepted use and management of the CCTV equipment and images to ensure that Hollingworth Academy complies with the Data Protection Act 1998, Human Rights Act 1998 and other legislation.

### Introduction:

The purpose of this policy is to regulate the management, operation and use of the closed circuit television (CCTV) system at Hollingworth Academy. The system comprises a number of fixed and dome cameras located around the school site. All cameras are monitored from the FM Site office/Director of Support Services office/Mr Morrell's computer (from Autumn 2014) and they are only available to designated staff – members of the Carillion Facilities Management (FM) Site Team and members of the Senior Leadership and Pastoral Team.

This Code follows Data Protection Act guidelines.

The Code of Practice will be subject to review bi-annually to include consultation as appropriate with interested parties.

The CCTV Behaviour System and the CCTV Security System is owned by the school.

### Objectives of the CCTV scheme:

- To increase personal safety of staff, pupils and visitors and reduce the fear of crime.
- To protect the school buildings and their assets.
- To support the police in a bid to deter and detect crime.
- To assist in identifying, apprehending and prosecuting offenders.
- To protect members of the public and private property.
- To assist in managing the school (including behaviour, anti-bullying, antisocial behaviour, vandalism, etc.)

### Statement of intent:

The CCTV scheme will be registered with the Information Commissioner under the terms of the Data Protection Act 1998 and will seek to comply with the requirements both of the Data Protection Act and the Commissioner's Code of Practice.

The school will treat the system and all information, documents and recordings obtained and used as data which are protected by the Act.

Cameras will be used to monitor activities within the school and its car parks and other public areas to identify criminal activity actually occurring, anticipated, or perceived, and for the purpose of securing the safety and well-being of the school, together with its visitors.

Staff have been instructed that static cameras are not to focus on private homes, gardens and other areas of private property.

Unless an immediate response to events is required, staff must not direct cameras at an individual, their property or a specific group of individuals, without an authorisation being obtained using the school's forms for Directed Surveillance (**Appendix 5**) to take place, as set out in the Regulation of Investigatory Power Act 2000.

Materials or knowledge secured as a result of CCTV will not be used for any commercial purpose. Tapes will only be released for use in the investigation of a specific crime. The planning and design has endeavoured to ensure that the scheme will give maximum effectiveness and efficiency, but it is not possible to guarantee that the system will cover or detect every single incident taking place in the areas of coverage.

Warning signs, as required by the Code of Practice of the Information Commissioner have been placed at all access routes to areas covered by the school CCTV.

### **Operation of the system:**

The scheme will be administered and managed by the Headteacher or nominee, in accordance with the principles and objectives expressed in the code.

The day-to-day management will be the responsibility of both the FM Site Team and the Senior Leadership Team (SLT) during the day and the FM Site Team out of hours and at weekends. The CCTV system will only be accessed by the Site Team and SLT.

The CCTV system will be operated 24 hours each day, every day of the year.

### **CCTV system:**

The FM Site Manager will check and confirm the efficiency of the system daily and in particular that the equipment is properly recording and that cameras are functional.

Access to the CCTV system will be strictly limited to the FM Site Team, SLT and the Pastoral Team. Unless an immediate response to events is required, staff with access to the CCTV system must not direct cameras at an individual or a specific group of individuals.

Visitors and other contractors wishing to view the CCTV system will be subject to particular arrangement as outlined below.

All requests to view the CCTV system must be approved by the Headteacher/Director of Support Services.

The Director of Support Services/Headteacher must satisfy themselves over the identity of any other visitors and the purpose of the visit. Where any doubt exists access will be refused. Details of all visits and visitors will be recorded by the Director of Support Services.

The system may generate a certain amount of interest. It is vital that operations are managed with the minimum of disruption. Casual visits will not be permitted.

If out of hours emergency maintenance arises, the FM Site Staff must be satisfied of the identity and purpose of contractors before allowing entry.

### **Liaison:**

Liaison meetings may be held with all bodies involved in the support of the system.

**Monitoring procedures:**

Camera surveillance may be maintained at all times.

**Image storage procedures:**

In order to maintain and preserve the integrity of the disk used to record events from the hard drive and the facility to use them in any future proceedings, the following procedures for their use and retention must be strictly adhered to:

- 1 Each disk must be identified by a unique mark.
- 2 Before using each disk must be cleaned of any previous recording.
- 3 The controller shall register the date and time of disk insert, including tape reference.
- 4 A disk required for evidential purposes must be sealed, witnessed, signed by the controller, dated and stored in a separate, secure, evidence disk store. If a disk is not copied for the police before it is sealed, a copy may be made at a later date providing that it is then resealed, witnessed, signed by the controller, dated and returned to the evidence disk store.
- 5 If the disk is archived the reference must be noted.

Disks may be viewed by the police for the prevention and detection of crime, authorised demonstration and training.

A record will be maintained of the release of disks to the police or other authorised applicants. A register will be available for this purpose.

Viewing of disks by the police must be recorded in writing and in the log book. Requests by the police can only be actioned under Section 29 of the Data Protection Act 1998. Should a disk be required as evidence, a copy may be released to the police under the procedures described in paragraph 8.1 (iv) of this Code. Disks will only be released to the police on the clear understanding that the disk remains the property of the school, and both the disk and information contained on it are to be treated in accordance with this code. The school also retains the right to refuse permission for the police to pass to any other person the disk or any part of the information contained thereon. On occasions when a court requires the release of an original disk this will be produced from the secure evidence disk store, complete in its sealed bag.

The police may require the school to retain the stored disks for possible use as evidence in the future. Such disks will be properly indexed and properly and securely stored until they are needed by the police.

Applications received from outside bodies (e.g. solicitors) to view or release disks will be referred to the Headteacher. In these circumstances disks will normally be released where satisfactory documentary evidence is produced showing that they are required for legal proceedings, a subject access request, or in response to a Court Order. A fee can be charged in such circumstances: £10 for subject access requests; a sum not exceeding the cost of materials in other cases.

**Breaches of the code (including breaches of security):**

Any breach of the Code of Practice by school staff will be initially investigated by the Headteacher, in order for her to take the appropriate disciplinary action.

Any serious breach of the Code of Practice will be immediately investigated and an independent investigation carried out to make recommendations on how to remedy the breach.

**Assessment of the scheme and code of practice:**

Performance monitoring, including random operating checks, may be carried out by the Director of Support Services/FM Site Manager.

**Complaints:**

Any complaints about the school's CCTV system should be addressed to the Headteacher. Complaints will be investigated in accordance with Section 9 of this Code.

**Access by the Data Subject:**

The Data Protection Act provides Data Subjects (individuals to whom "personal data" relate) with a right to data held about themselves, including those obtained by CCTV. Requests for Data Subject Access should be made to the Headteacher.

**Public information:**

Copies of this document will be available to the public from the School Office and the Headteacher.

**Summary of key points:**

- This guidance will be reviewed every two years.
- The Behavioural CCTV system is owned by the school and operated by the school and Carillion Facilities Management.
- The Security CCTV system is owned and operated by Carillion Facilities Management.
- The CCTV System cannot be viewed by visitors except by prior arrangement and good reason.
- Liaison meetings may be held with the police and other bodies.
- Recording disks used will be properly indexed, stored and destroyed after appropriate use.
- Disks may only be viewed by authorised school personnel, FM staff and the police.
- Disks required as evidence will be properly recorded witnessed and packaged before copies are released to the police.
- Disks will not be made available to the media for commercial or entertainment.
- Disks will be disposed of securely by incineration.
- Any breaches of this code will be investigated by the Headteacher. An independent investigation will be carried out for serious breaches.
- Breaches of the code and remedies will be reported to the Headteacher.

## Biometrics Guidance

### Introduction:

The school has a biometric system for cashless catering, library system and various pupil registrations.

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 finger points, facial shape, retina and iris patterns and hand measurements.

The biometric data which our system uses is finger points.

The school complies with the Data Protection Act and the relevant provisions of the Protection of Freedoms Act in the way it collects and handles biometric data. The school will have regard to the guidance on Biometrics published by the Department for Education.

### Notification:

Before processing any biometric data relating to pupils under the age of 18, the school will issue a notification letter to parents/carers. This notification will be sent to the parents/carers whom the school knows about. This will extend to other individuals with parental responsibility. We will use the standard form of notification suggested by the DfE, see **Appendix 6**.

### Consent:

The school will not process biometric data unless parental consent has been obtained from at least one parent. If one parent consents and the other objects, then the objection is overriding, even if the child wants to use the system.

The school will use the consent form suggested by the DfE. A specimen form is attached to this policy, see **Appendix 7**.

### Exceptions from the requirement for notification and consent:

The school does not need to notify a parent or seek his/her consent if the school is satisfied that:

- a) The parent cannot be found: for example, his or her whereabouts or identity is not known.
- b) The parent lacks the mental capacity to object or consent.
- c) The welfare of the child requires that a particular parent is not contacted, for example where a child has been separated from an abusive parent who is not to be informed of the child's whereabouts.
- d) Where it is otherwise not reasonably practicable for a particular parent to be notified or for his or her consent to be obtained.

Where neither parent of the child can be notified then the school will comply with s.27 of the Protection of Freedoms Act 2012. Where the child is in the care of the Local Authority or a voluntary organisation, then notification will be sent to and consent will be sought from the Local Authority or voluntary organisation. In other cases, notification will be sent to and consent sought from all those caring for the child.

### Child's right to object:

Before any child is asked to use the biometric system, the system will be explained to him/her and he or she will be given the opportunity to object or refuse to participate. If the child objects to the processing of his or her biometric data then by law the child cannot be included in the biometric system, whatever the views of the child's parents/carers.

**Children not using the biometric system:**

Where a child is not in the biometric system an alternative system is provided for his/her use. This alternative system operates as follows [give details of alternative system].

**Other relevant policies:**

Data Protection Policy.

## Records Management

The school recognises that by efficiently managing its records, it will be able to comply with its legal and regulatory obligations and to contribute to the effective overall management of the school. Records provide evidence for protecting the legal rights and interests of the school, and provide evidence for demonstrating performance and accountability. This document provides the policy framework through which this effective management can be achieved and audited. It covers:

- Scope.
- Responsibilities.
- Recording Systems.
- Retention of Records.
- Relationships with existing policies.

### Scope:

This policy applies to all records created, received or maintained by the school in the course of carrying out its functions.

Records are defined as all those documents which facilitate the business carried out by the school and which are thereafter retained (for a set period) to provide evidence of its transactions or activities. These records may be created or received, and then stored, in hard copy or electronically. A small percentage of the school's records will be selected for permanent preservation as part of the institution's archives and for historical research.

### Responsibilities:

The school has a corporate responsibility to maintain its records and record keeping systems in accordance with the regulatory environment. The person with overall responsibility for this policy is the Governing Body (or Academy Trust). The person with overall responsibility for its implementation is the Headteacher.

The day to day responsibility for records management in the school is Data Manager. He/she will give guidance about good records management practice and will promote compliance with this policy so that information will be retrieved easily, appropriately and in a timely way. He/she will also monitor compliance with this policy by surveying at least annually to check if records are stored securely and can be accessed appropriately.

Individual staff must ensure that records for which they are responsible are accurate, and are maintained and disposed of in accordance with the school's records management guidelines.

### Recording systems:

Information created by the school must be managed against the same standards regardless of the media in which it is stored.

### Maintenance of record keeping systems:

- It is important that filing information is properly resourced and is carried out on a regular basis. It is equally important that the files are weeded of extraneous information where appropriate on a regular basis. Removing information from a file once a freedom of information request has been made will be a criminal offence (unless it is part of normal processing).
- Applying retention periods is straightforward provided files are closed on a regular basis.

- Once a file has been closed, it should be moved out of the current filing system and stored either in the archive room in the school or in another appropriate place until it has reached the end of the retention period.
- Information security is very important especially when dealing with personal or sensitive information.

**There are a number of basic rules:**

- All personal information should be kept in lockable filing cabinets which are kept locked when the room is unattended.
- Personal information held on computer systems should be adequately password protected. Information should never be left up on a screen if the computer is unattended.
- Files containing personal or sensitive information should not be left out on desks overnight.
- Where possible sensitive personal information should not be sent by email.
- If files need to be taken off the premises they should be secured in the boot of a car or in lockable containers.
- Teachers may carry data on memory sticks or other removable data carriers in order to access their files both at home and at school. Any data carried in this way must be encrypted using appropriate encryption software.
- All computer information should be backed up regularly and the backup should be stored off the site.
- Information contained in email, fax should be filed into the appropriate electronic or manual filing system once it has been dealt with.

**Retention of records:**

Records will be retained or disposed of appropriately in accordance with the school's statutory obligations and having regard to the Retention Guidelines for schools published by the Information and Records Management Society. These guidelines can be found at:

<http://www.irms.org.uk/resources/information-guides/199-rm-toolkit-for-school>

All personal information should be placed in the school shredding bags when ready for disposal. Electronic data should be archived on electronic media and 'deleted' appropriately at the end of the retention period.

**Relationship with existing policies:**

This guidance must be read and implemented in conjunction with the following policies:

- Freedom of Information Policy.
- Data Protection Policy.
- With other legislation or regulations (including audit, equal opportunities and ethics) affecting the school.

## APPENDICIES

## Appendix 1: 2013/14 Privacy Notice

### PRIVACY NOTICE 2013/2014

#### For Pupils in Schools, Alternative Provision and Pupil Referral Units

#### Privacy Notice - Data Protection Act 1998

We, **Hollingworth Academy**, are a Data Controller for the purposes of the Data Protection Act. We collect personal information from you and may receive information about you from your previous school and the Learning Records Service. We hold this personal data to:

- Support your learning.
- Monitor and report on your progress.
- Provide appropriate pastoral care.
- Assess how well we are doing.

Information about you that we hold includes your contact details, national curriculum assessment results, attendance information<sup>1</sup> and personal characteristics such as your ethnic group, any special educational needs you may have and relevant medical information. *If you are enrolling for post 14 qualifications, the Learning Records Service will give us your unique learner number (ULN) and may also give us details about your learning or qualifications.*

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

*We are required by law to pass some information about you to the Department for Education (DfE) and, in turn, this will be available for the use of the LA.*

If you want to receive a copy of the information about you that we hold or share, please contact **Mr Jamie Hawkrigg at Hollingworth Academy**.

#### In addition for Secondary and Middle deemed Secondary Schools

Once your child is aged 13 or over, we are required by law to pass on certain information to commissioned providers of young people's support services in your area. This is the Local Authority's commissioned service for young people aged 13 to 19 (and up to 25 for learners with learning difficulties and disabilities in England). We must provide the name(s) and address both for you and your child, and any further information relevant to the support services' role. However, if your child is over 16, you (or your child) can ask that no information beyond names, addresses and their date of birth be passed to the commissioned providers. This right transfers to your child on their 16th birthday. Please inform Mr Jamie Hawkrigg at Hollingworth Academy if you wish to opt out of this arrangement. For more information about young people's services, please go to the National Careers Service page at <https://nationalcareersservice.direct.gov.uk/aboutus/Pages/default.aspx>. If you need more information about how the LA and DfE store and use your information, then please go to the following websites:

[http://www.rochdale.gov.uk/the\\_council/ more\\_on\\_about\\_the\\_council/data\\_protection\\_and\\_foi/pupil\\_data/data\\_protection\\_privacy\\_notice.aspx](http://www.rochdale.gov.uk/the_council/ more_on_about_the_council/data_protection_and_foi/pupil_data/data_protection_privacy_notice.aspx)<sup>2</sup>

<http://www.education.gov.uk/researchandstatistics/datatdatam/b00212337/datause>

If you are unable to access these websites, please contact the LA or DfE as follows:

<ul style="list-style-type: none"> <li>• Information Governance Unit Floor 2 Number One Riverside Smith Street Rochdale OL16 1XU  Tel: 01706 925218 Email: <a href="mailto:foi@rochdale.gov.uk">foi@rochdale.gov.uk</a></li> </ul>	<ul style="list-style-type: none"> <li>• Public Communications Unit Department for Education Sanctuary Buildings Great Smith Street London SW1P 3BT Website: <a href="http://www.education.gov.uk">www.education.gov.uk</a> Email: <a href="http://www.education.gov.uk/help/contactus">http://www.education.gov.uk/help/contactus</a> Telephone: 0370 000 2288</li> </ul>
--	--

<sup>1</sup> Attendance information is **NOT** collected as part of the Censuses for the Department for Education for the following pupils / children - a) in Nursery schools; b) aged under 4 years in Maintained schools; c) in Alternative Provision; and d) in Early Years Settings. This footnote can be removed where Local Authorities collect such attendance information for their own specific purposes.

<sup>2</sup> Local Authority to provide a link to their website with information on uses they make of data and any other organisations they share data with. Ideally they should also provide an address where parents without internet access can write for information.

## Appendix 2: External Agencies 2013/14

The below are third parties with whom the Hollingworth Academy shares pupil and staff data. The type of information and purpose for sharing this data is also included.

### Pupils:

Third Party Organisation	Information Shared	Purpose
Advanced Learning E-Portal / CMIS	All pupil, staff and parents/carers MIS data	Repair and maintenance of database
Advanced Learning Progresso	All pupil, staff and parents/carers MIS data	Cloud based MIS
Keep Kids Safe	Contact details of parents/carers	Texting service
WisePay	Pupil & contact name and contact details	Online payment and consent
Truancy Call	Contact details and pupil attendance and name	Automated parental contact about pupil none attendance
Connexions		
Sam Learning	Pupil name and teaching groups attached to	Educational resource
Rochdale LA	Pupil data	Support the LA data team in assessing the borough pupil details
DFE	All pupil data	Statutory requirement
Renaissance Learning	Pupil names, DOB and year group	Accelerated Reader application
GCSE Pod	Key: Student MIS ID, UPN, ULN, Admission Number, Forename, Surname, School email address, Date of birth, Gender	
Lexia	Group data	To support pupils SEN
MLS	Name and borrowing history	Library system

### Staff:

Third Party Organisation	Information Shared	Purpose
Advanced Learning E-Portal / CMIS	All pupil, staff and parents/carers MIS data	Repair and maintenance of database
Advanced Learning Progresso	All pupil, staff and parents/carers MIS data	Cloud based MIS
Keep Kids Safe	Staff contact details	Texting service
Wise Pay	Staff contact details	Online payment and consent
Blue Sky	Staff name and work email address	Setup of account for IQS process
Sage Payroll	Staff payroll details	Repair and maintenance of database
DFE	All staff data	Statutory requirement

### Appendix 3: Freedom of Information Requests: Staff Guidance

Under the Freedom of Information Act and the Environmental Information Regulations a person has the right to request any recorded information held by a public authority, such as a government department, local council or state school. Environmental information requests can also be made to certain non-public bodies carrying out a public function.

Anyone can make a request for this information, including members of the public, journalists, lawyers, businesses, charities and other organisations.

An individual can ask for any information they think a public authority may hold. The right only covers recorded information which includes information held on computers, in emails and in printed or handwritten documents as well as images, video and audio recordings.

The request can be in the form of a question, rather than a request for specific documents. Some information may not be given because it is exempt, for example if it contained an individual's personal information.

#### Requirements for a valid Freedom of Information Request:

To be valid under the Act, the request must:

- Be in writing.
- This could be by letter, email, or via the web (including social networking sites if the school decides to use this in the future).
- Include the requester's real name.
- Include an address for correspondence.
- Describes the information requested.
- The act covers information not documents.

All staff, especially those who deal with school correspondence, should be particularly alert to identifying requests.

#### Timescales:

The school's main obligation under the Act is to respond to requests promptly with a time limit acting as the longest time you can take.

Under the Act most public authorities may take up to 20 days to respond counting the first working day after the request is received as the first day.

For schools the standard time is 20 schools days or 60 working days if this is shorter.

The time allowed for complying begins when the school receives the request, not when it reaches the relevant member of staff.

Certain circumstances may allow extra time, e.g. if clarification regarding the request is required. However, in all cases the school must give the requester a written response within the standard time limit for compliance. For further information about this, please see Jamie Hawkrigg or Susan Collinge.

**What to do when the school receives at request:**

- Read the request carefully. Make sure you know what is being asked for.
- Consider all the information which falls within the scope of the request and identify this first.
- Consider contacting the applicant to confirm that the school has understood their request correctly.
- Always read the request objectively.

**The format of the information:**

The information can be sent to the requested in many ways including email, a printed copy, or by arranging for the requester to come into school to view the information.

Information should be sent by whichever means is most reasonable.

Requesters have the right to request to specify their preferred means of communication in their original request. Always check the original request for any preference before sending out the information.

If you require any further information regarding the Freedom of Information Act, please see Jamie Hawkrigg or Susan Collinge.

### Appendix 4: Photography and Filming Consent Form

Dear Parent or Guardian

Whilst your child is enrolled at Hollingworth there may be opportunities to publicise some of the activities that your child is involved with; this may involve filming or photographing pupils. There may also be occasions when we will arrange photography for school purposes, i.e. displays and school Prospectus/Publication/website.

Photography or filming will only occur with the permission of the Headteacher and under the strict supervision of a teacher.

- Filming or photography in school is required as part of exam moderation in practical subjects and may also be a requirement of a specific subject. Filming of specific lessons may take place on occasion for staff training.
- Where filming or photography is carried out by the news media, pupils will only be named when there is good reason. Home addresses will never be disclosed.

Whilst positive publicity benefits the school, your child will not be involved without your consent. Images of your child held by the school which are subject to the Data Protection Act 1988 can be viewed upon request.

Photographs may be used in school for up to 2 years after your child has left Hollingworth.  
 Films may be used for staff training for up to 2/5 years after your child has left Hollingworth.

**Please complete the form below, noting that consent may be withdrawn at any time.**

**Name of Child:** .....

Whilst my child is enrolled at Hollingworth I consent to the following:

Please answer **Yes or No** to the following:

<b>Photography &amp; Filming</b>	
Yes/No	I consent to named and unnamed photographs and digital images of my child being used in school.
Yes/No	I consent to named and unnamed photographs and digital images of my child being used for school use for wider publication: <ul style="list-style-type: none"> <li>• School prospectus and similar information</li> <li>• School website</li> <li>• Display boards</li> </ul>
Yes/No	I consent to a named and unnamed photograph of my child appearing in any external publication.
Yes/No	I consent to named and unnamed photographs of my child appearing in any external non-school publication.

**I understand that the school will try to take my preferences into account, but that the school must comply with Data Protection Act 1998 which will give my child rights in his/her own data when he/she has adequate capacity and understanding to make decisions about the publication of his/her photographs for him/herself.**

**I understand that I have the right to withdraw consent at any time.**

**Signed:** .....

**PRINT NAME:** .....

**Relationship to child:** .....

## Appendix 5: Authorised Directed Surveillance Form

## HOLLINGWORTH ACADEMY

## Part II of the Regulation of Investigatory Powers Act 2000

## Authorisation Directed Surveillance

Unique Reference Number:	
--------------------------	--

Public Authority <i>(including full address)</i>			
Name of Applicant		Unit/Branch /Division	
Full Address			
Contact Details			
Investigation/Operation Name (if applicable)			
Investigating Officer (if a person other than the applicant)			

Download form from:

<https://www.gov.uk/government/publications/application-for-use-of-directed-surveillance>

## Appendix 6: Notification of Intention to Process Pupils' Biometric Information

Dear Parent/Carer

The school, Hollingworth Academy, wishes to use information about your child as part of an automated (i.e. electronically-operated) recognition system. This is for the purposes of Cashless Catering and Extra Curricular/After School Activities. The information from your child that we wish to use is referred to as 'biometric information' (see next paragraph). Under the Protection of Freedoms Act 2012 (sections 26 to 28), we are required to notify each parent/carer of a child and obtain the written consent of at least one parent/carer before being able to use a child's biometric information for an automated system.

### **Biometric information and how it will be used:**

Biometric information is information about a person's physical or behavioural characteristics that can be used to identify them, for example, information from their fingerprint/iris/palm. The school would like to take and use information from your child's fingerprint and use this information for the purpose of providing your child access to use the cashless catering system, Library System and registration for certain extracurricular classes. The information will be used as part of an automated biometric recognition system. This system will take measurements of your child's fingerprint and convert these measurements into a template to be stored on the system. An image of your child's fingerprint is not stored. The template (i.e. measurements taken from your child's fingerprint) is what will be used to permit your child to access services.

You should note that the law places specific requirements on schools when using personal information, such as biometric information, about pupils for the purposes of an automated biometric recognition system. For example:

- a) The school cannot use the information for any purpose other than those for which it was originally obtained and made known to the parent(s), (i.e. as stated above).
- b) The school must ensure that the information is stored securely.
- c) The school must tell you what it intends to do with the information.
- d) Unless the law allows it, the school cannot disclose personal information to another person/body – you should note that the only person/body that the school wishes to share the information with is Biostore, the school's supplier of the Biometric system. This is necessary in order to process the cashless catering system.

### **Providing your consent/objecting:**

As stated above, in order to be able to use your child's biometric information, the written consent of at least one parent/carer is required. However, consent given by one parent will be overridden if the other parent objects in writing to the use of their child's biometric information. Similarly, if your child objects to this, the school cannot collect or use his/her biometric information for inclusion on the automated recognition system.

You can also object to the proposed processing of your child's biometric information at a later stage or withdraw any consent you have previously given. This means that if you give consent but later change your mind, you can withdraw this consent. Please note that any consent, withdrawal of consent or objection from a parent/carer must be in writing.

Even if you have consented, your child can object or refuse at any time to their biometric information being taken/used. His/her objection does not need to be in writing. We would appreciate it if you could discuss this with your child and explain to them that they can object to this if they wish.

The school is also happy to answer any questions you or your child may have.

If you do not wish your child's biometric information to be processed by the school, or your child objects to such processing, the law says that we must provide reasonable alternative arrangements for children who are not going to use the automated system to purchase school meals.

If you give consent to the processing of your child's biometric information, please sign, date and return the enclosed consent form to the school.

Please note that when your child leaves the school, or if for some other reason he/she ceases to use the biometric system, his/her biometric data will be securely deleted.

**Further information and guidance:**

This can be found via the following links:

Department for Education's 'Protection of Biometric Information of Children in Schools – Advice for proprietors, governing bodies, headteachers, principals and school staff':  
<http://www.education.gov.uk/schools/adminandfinance/schooladmin>

ICO guide to data protection for organisations:  
[http://www.ico.gov.uk/for\\_organisations/data\\_protection/the\\_guide.aspx](http://www.ico.gov.uk/for_organisations/data_protection/the_guide.aspx)

ICO guidance on data protection for education establishments:  
[http://www.ico.gov.uk/for\\_organisations/sector\\_guides/education.aspx](http://www.ico.gov.uk/for_organisations/sector_guides/education.aspx) 16

**Appendix 7: Consent Form for the Use of Biometric Information in School**

Please complete this form if you consent to Hollingworth Academy taking and using information from your child’s fingerprint as part of an automated biometric recognition system. This biometric information will be used by Hollingworth Academy for the purpose of Cashless Catering, Library System and Extra Curricular Registration.

In signing this form, you are authorising the school to use your child’s biometric information for this purpose until he/she either leaves the school or ceases to use the system. If you wish to withdraw your consent at any time, this must be done so in writing and sent to the school at the following address:

Hollingworth Academy  
Cornfield Street  
Milnrow  
OL16 3DR

Once your child ceases to use the biometric recognition system, his/her biometric information will be securely deleted by the school.

Having read guidance provided to me by Hollingworth Academy, I give consent to information from the fingerprint of my child:

**Childs Name:**

**Tutor Group:**

Being taken and used by Hollingworth Academy for use as part of an automated biometric recognition system for the Cashless Catering System, Library System and Registration during Extra Curricular/After School Activities

I understand that I can withdraw this consent at any time in writing.

**Name of Parent/Carer:** .....

**Signature:** .....

**Date:** .....

Please return this form to:  
For the Attention of  
Hollingworth Academy  
Cornfield Street  
Milnrow  
OL16 3DR

*Taken from the DfE: Protection of Biometric Information of Children in School (Dec 2012)*