# Sedlescombe Church of England Primary School

# Special Category Data Policy 2019

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| Implemented | November 2019 |
| Review Cycle | Three Years |
| Review Date | Academic Year 2022-2023 |

# Sedlescombe Church of England Primary School
# Special Category Data Policy

**Summary**
This policy outlines the school's obligations under Data Protection Legislation with regard to the processing of Special Category Personal Data. This should be read alongside the school Data Protection and Information Security policy, and the privacy notice.

## 1. Policy Statement

Sedlescombe Church of England Primary School is committed to ensuring that all personal data it processes is managed appropriately and in compliance with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA 2018) (collectively referred to as "DP legislation"). The school recognises its duties to protect all personal data but in particular Special Category Personal Data as defined under Data Protection legislation i.e. information that may identify an individual's:

- racial or ethnic origin,
- political opinions,
- religious or philosophical beliefs,
- trade union membership,
- health,
- sex life/orientation
- genetic/biometric identifier
- criminal convictions/offences

The school will ensure that all Special Category Data is captured, held and used in compliance with this policy. Any proposed new use of Special Category Data will be subject to a Data Protection Impact Assessment.

For all uses of Special Category Data, the processing will be included in the school's Record of Processing Activity (ROPA). This will include a description of the lawful basis for processing and confirmation that the appropriate data retention rules are being applied.
Failure to comply with this policy may be subject to disciplinary procedures.

## 2. Responsibilities

The Headteacher has overall responsibility for ensuring compliance with this policy and with DP legislation across the school.

The Data Protection Officer (DPO) has responsibility for advising the organisation on data protection matters, and for monitoring compliance with this policy.

All staff are responsible for understanding and complying with relevant policies and procedures for processing and protecting special category data.

## 3. Related Documents

- Information Security/Data Protection Policy
- Record of Processing Activity (Information Asset Register)

## 4. Compliance with the Principles

All processing of personal data, including Special Category Data, is subject to the school's Data Protection and Information Security Policy and all related procedures for data handling.

Below is a summary of our procedures for compliance with the principles under Article 5 of GDPR.

| Data Protection Principle | Procedures for securing compliance | Relevant Policies/ Procedures |
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| **Personal data will be processed lawfully, fairly and in a transparent manner** | All use of Special Category Data will be:<br>• Assessed for lawfulness, fairness and transparency as part of Data Protection Impact Assessments (DPIA)<br>• described clearly and precisely in privacy notices available to data subjects<br><br>The School will ensure that personal data is only processed where a lawful basis applies, (i.e. is subject to clear justification under Article 6 and 9 of GDPR)<br><br>The School will only process personal data fairly, and will ensure that data subjects are not misled about the purposes of any processing | • Data Protection& Information Security Policy<br>• Privacy notices<br>• ROPA<br>• DPIA procedure / template<br>• School data protection training log |
| **Personal data will be collected and used for specified, explicit and legitimate purposes and not further processed in an incompatible way (*'purpose limitation'*)** | This will be checked within the DPIA process.<br><br>Staff will be trained to ensure that they do not use personal data for purposes other than those authorised by the organisation.<br><br>Staff will receive training and document procedures for relevant processes.<br><br>Data subjects will be informed of the purpose for processing in a privacy notice | • Data Protection Policy<br>• Privacy notices<br>• ROPA<br>• DPIA procedure / template<br>• Information governance or DP training for staff<br>• School data protection training document/log |

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| **Personal data collected and processed will be adequate, relevant and limited to what is necessary for the purpose for processing**<br><br>***(data minimisation)*** | To adhere to the principle of privacy by design, the school only collects and holds data as necessary for their operational requirements or to meet statutory obligations.<br><br>Staff have roles-based access and are trained to record only the minimal necessary personal data for business needs.<br><br>This will also be checked within the school DPIA process. | • Data Protection Policy<br>• DPIA procedure / template<br>• Information governance or DP training for staff<br>• School data protection training document/log |
| **Personal data will be accurate and where required, rectified without delay (*'accuracy'*)** | The school has systems in place to verify the accuracy of the data it holds. This includes SIMS Parent App Lite which will be coming on line in January 2020. | • Data Protection Policy<br>• DP training for staff<br>• School data protection training document/log |
| **Personal data will not be kept in an identifiable form for longer than necessary (*'storage limitation'*) i.e. in line with the school retention schedule** | Mrs Harvey (Headteacher) and Mrs Hardes (Secretary) in school have responsibility for ensuring that the retention schedule is applied to all personal data, and in particular to special category data. Where systems do not have the functionality to automate disposal, staff have a scheduled task to manually delete time-expired data. | • Data Protection Policy<br>• School Retention Schedule<br>• DP training for staff<br>• School data protection training document/log |
| **Personal data will be kept securely** | All use of personal data is subject to our Data Protection and Information Security Policy and related security measures.<br><br>Appropriate means of transmitting data are used. Data is securely stored and securely disposed of (where retention periods are reached).<br><br>Where processing is sub-contracted or outsourced there are suitable Data Protection clauses in the contract. | • Data Protection Policy<br>• School Retention Schedule<br>• DP training for staff<br>• School data protection training document/log |

**Contact**
If you have any questions about this policy, please contact:

- Mrs Caroline Harvey (Headteacher)
- Mrs Mandy Hardes (School Secretary)

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This policy is subject to review every three years. Superseded policies will be retained for at least 6 months.