

# Meadows School

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## Data Protection Policy - Addendum

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### 1. Introduction:

Barnardo's Data Protection Policy serves as a foundation for guiding organisational operations, ensuring consistency, compliance, and alignment with goals. However, as a school, Meadows will, on occasion, need to add additional procedures to assure compliance with guidance from the Department for Education (DfE).

This addendum allows for updates without a need to overhaul the Barnardo's Data Protection Policy, ensuring that the policy remains relevant, actionable, and reflective of current requirements, while maintaining the integrity of its original framework.

The procedures contained in this addendum apply to all staff, volunteers and governors and are consistent with those of the Kent Safeguarding Children Board (KSCB).

### 2. Aims:

Our school aims to ensure that all personal data collected about staff, students, parents and carers, governors, visitors and other individuals is collected, stored and processed in accordance with UK data protection law. This policy applies to all personal data, regardless of whether it is in paper or electronic format.

3. The Data Controller:	<p>Barnardo's, through Meadows School, processes personal data relating to parents, students, staff, governors, visitors and others, and is therefore the data controller. Barnardo's is registered as data controller with the ICO as legally required.</p>
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4. Roles & Responsibilities:	<p>This addendum applies to <b>all Meadows staff</b> and to external organisations or individuals working on our behalf. Staff who do not comply with this policy may face disciplinary action.</p> <p><b>Barnardo's:</b>          Barnardo's have overall responsibility for ensuring that our school complies with all relevant data protection obligations. Barnardo's data protection officer (DPO) is responsible for overseeing the implementation of the policy, monitoring our compliance with data protection law, and developing related policies and guidelines where applicable. The DPO is also the first point of contact for the ICO. Full details of the DPO's responsibilities are set out in their job description.</p> <p><b>ADCS:</b>          The Assistant Director of Children's Services (ADCS) for the school is responsible for overseeing the implementation of this addendum, monitoring the school's compliance with data protection law, and working with the DPO and Meadows Data Manager to ensure the specifics of Data Protection in Schools are included in this addendum.</p> <p><b>Meadows Data Manager:</b>          The Data Manager is the data protection lead in the school and acts as the representative of the data controller on a day-to-day basis. The Data Manager is the first point of contact for individuals whose data the school processes.</p>
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4. Roles & Responsibilities Continued:	<p><b>All Staff:</b> Staff are responsible for:</p> <ul style="list-style-type: none"> <li>• Collecting, storing and processing any personal data in accordance with Barnardo's policy and this addendum</li> <li>• Informing Barnardo's of any changes to their personal data, such as a change of address</li> <li>• Contacting the Data Manager in the following circumstances: <ul style="list-style-type: none"> <li>○ With any questions about the operation of this policy, data protection law, retaining personal data or keeping personal data secure</li> <li>○ If they have any concerns that the main policy and/or this addendum are not being followed</li> <li>○ If they are unsure whether or not they have a lawful basis to use personal data in a particular way</li> <li>○ If they need to rely on or capture consent, draft a privacy notice, deal with data protection rights invoked by an individual, or transfer personal data outside the European Economic Area</li> <li>○ If there has been a data breach</li> <li>○ Whenever they are engaging in a new activity that may affect the privacy rights of individuals</li> <li>○ If they need help with any contracts or sharing personal data with third parties</li> </ul> </li> </ul>
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5. Sharing Personal Data:	<p>As a school we would not normally share personal data with anyone else without consent, but there are certain circumstances where we may be required to do so.</p> <p>These include, but are not limited to, situations where:</p> <ul style="list-style-type: none"> <li>• There is an issue with a student or parent/carer that puts the safety of our staff at risk</li> <li>• We need to liaise with other agencies – we will seek consent as necessary before doing this</li> <li>• Our suppliers or contractors need data to enable us to provide services to our staff and students – for example, IT companies.</li> </ul> <p>When doing this, we will:</p> <ul style="list-style-type: none"> <li>• Only appoint suppliers or contractors that can provide sufficient guarantees that they comply with UK data protection law</li> <li>• Establish a contract with the supplier or contractor to ensure the fair and lawful processing of any personal data we share</li> <li>• Only share data that the supplier or contractor needs to carry out their service</li> </ul> <p>We will also share personal data with law enforcement and government bodies where we are legally required to do so. We may also share personal data with emergency services and local authorities to help them to respond to an emergency situation that affects any of our students or staff.</p> <p>Where we transfer personal data internationally, we will do so in accordance with UK data protection law.</p>
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6. Student Access to Information:

Personal data about a child belongs to that child, and not the child's parents or carers. For a parent or carer to make a subject access request with respect to their child, the child must either be unable to understand their rights and the implications of a subject access request, or have given their consent.

Children below the age of 12 are generally not regarded to be mature enough to understand their rights and the implications of a subject access request. Therefore, most subject access requests from parents or carers of students at our primary campus may be granted without the express permission of the student. This is not a rule and a student's ability to understand their rights will always be judged on a case-by-case basis.

Children aged 12 and above are generally regarded to be mature enough to understand their rights and the implications of a subject access request. Therefore, most subject access requests from parents or carers of students at our secondary site may not be granted without the express permission of the student. This is not a rule and a student's ability to understand their rights will always be judged on a case-by-case basis.

7. Subject Access Requests:

Individuals have a right to make a 'subject access request' to gain access to personal information that the school holds about them. This includes:

- Confirmation that their personal data is being processed
- Access to a copy of the data
- The purposes of the data processing
- The categories of personal data concerned
- Who the data has been, or will be, shared with
- How long the data will be stored for, or if this isn't possible, the criteria used to determine this period
- Where relevant, the existence of the right to request rectification, erasure or restriction, or to object to such processing
- The right to lodge a complaint with the ICO or another supervisory authority
- The source of the data, if not the individual
- Whether any automated decision-making is being applied to their data, and what the significance and consequences of this might be for the individual
- The safeguards provided if the data is being transferred internationally

Meadows School has an in-house Data Manager. Any subject access requests received should be passed to the Data Manager for Processing.

The Data Manager follows Barnardo's Policy and Procedure which can be found on Inside Barnardo's, completes the subject access request and records in on OneTrust. A record that the request has been completed is kept in Meadows SharePoint.

8. Other Data Protection Rights of the Individual:	<p>In addition to the right to make a subject access request (see above), and to receive information when we are collecting their data about how we use and process individuals also have the right to:</p> <ul style="list-style-type: none"> <li>➤ Withdraw their consent to processing at any time</li> <li>➤ Ask us to rectify, erase or restrict processing of their personal data (in certain circumstances)</li> <li>➤ Prevent use of their personal data for direct marketing</li> <li>➤ Object to processing that has been justified on the basis of public interest, official authority or legitimate interests</li> <li>➤ Challenge decisions based solely on automated decision making or profiling (i.e. making decisions or evaluating certain things about an individual based on their personal data with no human involvement)</li> <li>➤ Be notified of a data breach (in certain circumstances)</li> <li>➤ Make a complaint to the ICO</li> <li>➤ Ask for their personal data to be transferred to a third party in a structured, commonly used and machine-readable format (in certain circumstances)</li> </ul> <p>If staff receive such a request, they must immediately forward it to the school Data Manager who will work with Barnardo's DPO to complete.</p>
9. Parental Requests to see the Educational Record:	<p>Parents, or those with parental responsibility, have a legal right to free access to their child's educational record (which includes most information about a student) within 15 school days of receipt of a written request.</p> <p>If the request is for a copy of the educational record, the school may charge a fee to cover the cost of supplying it.</p> <p>This right applies as long as the student concerned is aged under 18.</p> <p>There are certain circumstances in which this right can be denied, such as if releasing the information might cause serious harm to the physical or mental health of the pupil or another individual, or if it would mean releasing exam marks before they are officially announced.</p>
10. CCTV:	<p>The School follows the Barnardo's CCTV and Monitoring Devices Policy and has its own addendum to cover any additional school requirements.</p>
11. Photos and Videos:	<p>The School follows the Barnardo's Contributions; photos, videos and lived experiences guidance and policy available on Inside Barnardo's.</p> <p>Permissions are stored in individual FileRoom folders and recorded in the school MIS.</p>

12. <b>Artificial Intelligence:</b>	<p>Artificial intelligence (AI) tools are now widespread and easy to access. Staff, pupils and parents/carers may be familiar with generative chatbots such as ChatGPT and Google Bard. Meadows School recognises that AI has many uses to help students learn, but also poses risks to sensitive and personal data.</p> <p>To ensure that personal and sensitive data remains secure, no one will be permitted to enter such data into unauthorised generative AI tools or chatbots.</p> <p>If personal and/or sensitive data is entered into an unauthorised generative AI tool, Meadows School will treat this as a data breach, and will follow the personal data breach procedure.</p>
13. <b>Data Protection Impact Assessments:</b>	<p>The School will complete data protection impact assessments where the school's processing of personal data presents a high risk to rights and freedoms of individuals, and when introducing new technologies. These are stored in OneTrust and must be signed off by the Barnardo's DPO prior to the implementation of new technologies being introduced.</p>
14. <b>Data Security &amp; Storage:</b>	<p>Information on data security and storage can be found in the Meadows School Online Safety policy.</p>
15. <b>Disposal of Records:</b>	<p>The School follows Barnardo's Retention Periods for all records. Once no longer needed the school deletes electronic documents in-line with data protection law.</p>
16. <b>Personal Data Breaches:</b>	<p>The School will make all reasonable endeavours to ensure that there are no personal data breaches.</p> <p>In the unlikely event of a suspected data breach, we will follow the procedure set out by Barnardo's Data Protection Policy.</p>
17. <b>Review &amp; Audit:</b>	<p>This Addendum will be reviewed annually by the School Data Manager and agreed by the Principal and Chair of Governors. The School completes an annual audit of its Data Protection through OneTrust in-line with Barnardo's Policy.</p>

18. Training:	All staff and governors are provided with data protection training as part of their induction process and are required to complete a mandatory annual refresher available through Barnardo's B-Learning.
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19. Additional Information	
Copies of this policy may be obtained from:	<ul style="list-style-type: none"> <li>• Share Point</li> <li>• The Main School Office</li> </ul>
This policy links with the following policies & Documents	
Relevant statutory guidance, circulars, legislation & other sources of information are:	<a href="#">The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2020</a> <a href="#">Data Protection Act 2018 (DPA 2018)</a> <a href="#">UK GDPR</a> <a href="#">Generative artificial intelligence in education</a> ICO's <a href="#">guidance</a> <a href="#">Education (Pupil Information) (England) Regulations 2005,</a>
The lead member of staff is:	Meadows School Data Manager